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Letter dated 1 December 2000 from the Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone addressed to the President of the Security Council

On behalf of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone and in accordance with paragraph 12 of section A of Security Council resolution 1306 (2000), I have the honour to submit a summary report along with observations by the Chairman on the exploratory hearing on Sierra Leone diamonds, which was held on 31 July and 1 August 2000 at United Nations Headquarters in New York (see annex).

I would appreciate it if the present letter and its annex were brought to the attention of the members of the Security Council and issued as a document of the Security Council.

(*Signed*) Anwarul Karim **Chowdhury**
Chairman
Security Council Committee
established pursuant to resolution 1132 (1997) concerning Sierra Leone

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Annex

Summary report along with observations by the Chairman on the exploratory hearing on Sierra Leone diamonds (31 July and 1 August 2000)

I. Introduction

1. By its resolution 1306 (2000) of 5 July 2000, the Security Council imposed a ban on the direct and indirect import of rough diamonds from Sierra Leone and tightened the arms embargo regime against non-governmental forces in Sierra Leone. By paragraph 12 of section A of that resolution, the Council requested the Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone (Sierra Leone Sanctions Committee) to hold an exploratory hearing in New York no later than 31 July 2000 to assess the role of diamonds in the Sierra Leone conflict and the link between trade in Sierra Leone diamonds and trade in arms and related materiel in violation of resolution 1171 (1998), involving representatives of interested States and regional organizations, the diamond industry and other relevant experts.

2. The hearing was held on 31 July and 1 August 2000 under the Chairmanship of Ambassador Anwarul Karim Chowdhury (Bangladesh). This was the first time that a Security Council and its sanctions committee has held a public hearing with the objective of furthering understanding of a problem that perpetuates conflict. The hearing covered the following areas:

(a) Sierra Leone diamond industry — e.g., nature of Sierra Leone diamonds, current export patterns and current regulations;

(b) Link to trade in arms and other materiel — e.g., how the illicit revenue is converted into arms purchase, and which types of arms and other materiel are bought with diamond revenue;

(c) Ways and means for development of a sustainable and well regulated diamond industry in Sierra Leone — e.g., the role of the Government of Sierra Leone and possible international assistance.

3. The hearing was attended by interested States, international and regional organizations, the diamond trade associations and individuals with expertise, who addressed the hearing in their personal capacity and did not represent the views of the organizations/institutions that they are affiliated to (see appendix for list of participants).

4. The present report is submitted to the Security Council in accordance with paragraph 12 of resolution 1306 (2000).

II. Sierra Leone diamond industry

5. In the first session, the hearing covered the Sierra Leone diamond industry in general, including the nature of Sierra Leonean diamonds and current export patterns and current regulations.

6. **The Chairman, Anwarul Karim Chowdhury, (Bangladesh)**, introduced Security Council resolution 1306 (2000) of 5 July 2000, in which the Council had imposed a ban on the direct and indirect import of rough diamonds from Sierra Leone and tightened the arms embargo regime against non-governmental forces in Sierra Leone, and he explained the format of the hearings. He noted that the open hearings, organized by the Sierra Leone Sanctions Committee, were unprecedented. He expressed the hope that the sessions would provide a better understanding of the illegal diamond and arms trade in Sierra Leone, which enabled non-governmental forces to sustain their activities. He mentioned that at the conclusion of the hearing, a report containing observations on the issues addressed at the hearing would be submitted to the Security Council in accordance with paragraph 12 of resolution 1306 (2000).

7. **Alhaji Mohammed Deen (Sierra Leone)** provided an overview of the diamond industry in Sierra Leone and described current regulations and the major thrusts of the Government's mining policy, including the requirements for various types of licences, including those for small-scale and artisanal mining, dealing and exporting. He noted that diamond exports from Sierra Leone, which had fallen precipitously since 1996, had increased sharply in June, when the Security Council started to discuss the idea of banning all illegal diamond exports from Sierra Leone until a proper certification regime was put in place. All diamond

exports were currently suspended pending the start of the new certification regime.

8. He noted that the Government had revised and improved its export practice since the adoption of the resolution and was determined to establish a new mining, marketing and exporting regime for diamonds that would reduce illegal diamond exports from Sierra Leone, thus curtailing the supply of revenue to the rebels. Describing the various types of atrocities which had been committed against innocent civilians since the beginning of the civil war, he stressed that the Government was now determined to ensure that the revenue from the nation's diamonds was used for progress and development.

9. **Alex Yearsley** stated that since 1991 — the start of the civil war — the smuggling of Sierra Leone diamonds through neighbouring countries, such as Liberia and Guinea, had become integral to the funding of the Revolutionary United Front (RUF). In setting up a certification system for Sierra Leone diamonds, he noted, it was imperative to establish internal systems of control to ensure that RUF mined/controlled diamonds were not sold/laundered through the Government-run certification system. Further, he stressed, the capacity of Sierra Leone to implement and enforce legislation must be increased. The value of the new certification system which was being put in place in Sierra Leone would depend on the implementation of a global system of control, including diamond-producing, importing and manufacturing Governments, the diamond industry and civil society organizations.

10. **Ralph Hazelton** provided statistics demonstrating that up to 3 million carats of diamonds may have been smuggled out of Sierra Leone through neighbouring countries (including Liberia, Côte d'Ivoire and Guinea) between 1990 and 1998, at an approximate value of $600 million, which potentially could have been used for development within the country. He proposed that (a) an internationally credible and agreed database on the geological resource base be developed; (b) common standards for reporting on countries of extraction be developed and enforced; and (c) exports that significantly exceeded a country's known resource base and/or its legitimate imports, be capped or excluded from world markets.

11. **Mark H. G. Van Bockstael (Diamond High Council)** described the role of Antwerp as a major diamond trading centre, and based on trade statistics spanning the past three decades noted that whereas the imports of diamonds from Sierra Leone were a good representation of its production capacity determined by the geological conditions, imports recorded from Liberia bore no relationship to local production capacity. He stated that the Diamond High Council had offered as early as April 2000 to assist the Government of Sierra Leone in drafting an effective certificate of origin regime based on the positive experience of doing the same together with the Government of Angola.

12. **E. Izhakoff (World Federation of Diamond Bourses)** stated that his Organization was willing and ready to work with Governments to help in monitoring the certification system in Sierra Leone and in providing all necessary assistance.

13. During the question-and-answer session which followed the presentation, **Mr. Yearsley** questioned whether the mandate of the expert panel would cover other natural resources, such as timber, iron ore and bauxite, since revenues from those substances were used to fund the supply of weapons from Liberia into Sierra Leone. The Chairman noted that while the resolution dealt with diamonds, he was sure that other aspects would be examined and recommendations made in the report.

14. **Nancy Soderberg (United States)** commended the "unique" cooperation between the industry and public sector in trying to address the issue of conflict diamonds. She expressed the view that the steps they were taking voluntarily were unprecedented in the private sector and deserved credit, and commended the Government of Sierra Leone for its efforts to develop a mechanism to control its resources. She highlighted the need to take a regional approach, to focus on the steps the international community might take to ensure that neighbouring States comply with the Security Council resolution. She hoped that the proposal to match government resources with export figures would be brought to the Council. She asked the members of the industry to comment on the role that could be played by the international community, for discussion in the Council.

15. Noting that there was no direct importation of diamonds from any African country, **Satyabrata Pal (India)** stated that his country had set in place a series of steps to ensure that there was no possibility of any Indian diamond trader dealing in conflict diamonds. He wished to know how the certification of origin or other

system being put in place would automatically deny money to RUF. He noted that Mr. Hazelton had estimated double the per year diamond production total for Sierra Leone as had been estimated by the Government of Sierra Leone.

16. **Patrick Smith** stated that regarding the certificate of origin scheme in Sierra Leone, the concentration of effort should be in neighbouring countries in order to inform them of the contents of the Security Council resolution.

17. Noting that his delegation had been the sponsor of Council resolution 1306 (2000), **Jeremy Greenstock (United Kingdom)** subscribed to the statement by the United States, and stated that his Government's approach to the resolution and to the other resolution on which his delegation was now working was a determined and proactive stand on the future stability and prosperity of Sierra Leone and control of the exploitation of natural resources in Africa, including how to establish a global certification regime for rough diamonds which the industry had already taken steps towards. Further, he stated that the United Kingdom and the Russian Federation at the recent Group of Eight meeting had called for a further international conference to address the entire issue, including how to establish a global certification regime for rough diamonds which the industry had already taken steps towards. He wished to know when the Sierra Leone Government might be in a position to actually start the certification regime and what international assistance was needed. He stated that he was gratified that the United Nations and the international community were united on the link between diamonds and arms, towards which Ambassador Fowler (Canada) had paved the way on Angola. It was also good to see individual Governments, non-governmental organizations and individuals concerned with that area take such a strong interest in establishing a certification regime, he added, of which the recent meeting in Antwerp was yet another element. He wished to know from the Minister of Mineral Resources of Sierra Leone whether a regime could actually be designed which effectively prevented illegal diamond trading by RUF or other rebel factions, in the light of the difficulties likely to be faced in establishing a regime which encompassed the illegal activity in the East of the country. He also wondered whether, within the diamond industry, there was resistance to ideas of a broader certification regime.

18. Responding to India, **Mr. Deen** noted that his Government did not have the resources beyond its borders to monitor the movement and the volume and value of diamonds that left the country illegally, although a number of institutions had undertaken research on the matter, he added. He noted that De Beers, which had implemented the marketing regime in Sierra Leone in the 1950s and 1960s, had come out with an estimate of 35-150 million dollars per annum (not carats, as noted by India). He accepted the De Beers figure as an indicator. Responding to the United Kingdom, he noted that his Government wished the new regime to start as soon as possible. For the past three weeks or more, he added, since the resolution had been adopted by the Security Council, Sierra Leone had stopped all exports of diamonds, which was already having an adverse effect on the rate of exchange between the dollar and the leone (Sierra Leonean currency). His Government had approached a very highly renowned security printing firm in the United Kingdom, he stated, and would depend very much on assistance from international bodies. In that regard, he continued, the United Kingdom Government had indicated that it would be able to assist with the first printing of certificates of origin. His Government wished to start as soon as the Committee gave the recommendation to the Security Council, he stated. Regarding the lessons Sierra Leone had learned from former regimes about the illegal export of diamonds, that had been a very difficult task, he stated. When the resolution was adopted, he said, his Government had had very frank discussions with the Belgians, at which it had learned that what it considered to be the illicit export of diamonds was considered by the Belgians as a very legal importation of merchandise. Further discussions with the Belgians had confirmed that what the Security Council resolution had referred to as illicit exports would be considered as illicit imports. Up to the present, he stated, his Government had been concerned only with giving authority for diamonds to leave Sierra Leone's shores. It had not had the resources to trace where they actually went. His Government would appreciate assistance from the international community in ascertaining violations of the resolution, he stated.

19. **Yves Doutriaux (France)** stated that the participants should be inspired by this first session in seeking a more transparent and effective way to deal with the area of sanctions in the Security Council. His country, he noted, had been the first to state before the

Lomé Agreement that measures to counter the illegal export of diamonds by Sierra Leone rebels should be taken. "We believe that is crucial", he said, in order to exhaust the arms supply of RUF, to cut off their sources and to restore peace to Sierra Leone. He hoped that all the efforts in connection with the illegal export of diamonds from Sierra Leone would be coordinated with other initiatives (Angola, Democratic Republic of the Congo), noting that expert groups had been established which often worked on the same topic. The Minister of France, he stated, had proposed at the Group of Eight meeting in Okinawa that a permanent group of experts in the field be established by the Secretary-General. He also noted the proposal made by the United Kingdom and the Russian Federation regarding illicit trafficking at the global level and the conference they were willing to convene. He stated his country's willingness to cooperate with Sierra Leone in fully implementing the resolution and to do what it could to put an end to the illicit trafficking. The panellists should think about how to assist neighbouring countries in the region who had the political will to implement the Security Council resolution but lacked the human and financial resources to ensure that the embargo was carried out. He noted that Mr. Hazelton had said that a country like Guinea had asked for assistance in the customs area. Mr. Smith had suggested that the experts visit the countries in the region to sensitize the Governments and publish information on the problem of illicit export of diamonds. He urged the participants to consider how to concretely help countries in the region.

20. Responding to the question from the United Kingdom regarding resistance to the system of certification from some medium-sized dealers, **Mr. Izhakoff** noted that diamond dealers were traditionally very conservative and any change caused them anxiety. He had received many phone calls from Belgium and elsewhere regarding the subject, he stated. He believed that after explaining that there was a moral question and that "they must rid themselves of conflict diamonds regardless of any business concerns", they had understood. He was confident that they would receive the cooperation of every diamond dealer in the world, as well as producers and some government officials. In order to implement the plan, the heads of organizations in the industry must join with the producers, exporters and importers. The commitment had been set in motion and all necessary assistance was needed in bringing Governments and industry organizations together.

21. **Andrew Coxon** stated that, as someone familiar with the characteristics of rough diamonds from Sierra Leone, he was responding to India concerning whether it was possible to distinguish the rough diamonds from the three areas of Sierra Leone. That was possible, he stated, when all the pieces of a parcel from a digging were available. The diamonds from each area were quite different, he noted, and were sufficiently recognizable for someone familiar with Sierra Leone diamonds to differentiate. He was confident that a Government evaluator, trained by De Beers, who was a rough diamond buyer for Sierra Leone, could recognize the diamonds from the three areas of the country. The fact that the Government of Sierra Leone would be licensing only a few diamonds would mean that those from the rebel fields would be subject to confiscation. Assistance would be needed by countries other than Sierra Leone in recognizing diamonds from the three areas. He suggested that assistance could be given by the diamond industry in training customs agents to recognize the three types of diamonds.

22. **H. U. Didigu (Economic Community of West African States) (ECOWAS)** stated that ECOWAS was deeply appreciative of the initiative on the part of the United Nations and of the Security Council resolution that had provided the environment to carry out the initiative. ECOWAS, during its last summit, had set up a regional commission of inquiry into the illegal trading of diamonds in Sierra Leone. The 13-member panel of inquiry would start its work in a few weeks, and would include the six members of the ECOWAS Committee on Sierra Leone, namely, Liberia, Nigeria, Ghana, Guinea, Mali and Togo. ECOWAS hoped to have two experts from the United Nations on the panel, the terms of which were very similar to those of the United Nations. The Commission of Inquiry would try to identify diamond miners, institutions and States involved in the trafficking of diamonds and hoped to put an effective control mechanism in place. The panel would also call on a large number of private diamond experts.

23. **Mr. Van Bockstael** stressed the importance of travelling in neighbouring countries to Sierra Leone. He also supported Mr. Smith's proposal that the Diamond High Council continue to place its expertise at the disposal of countries that requested it.

24. **Mr. Hazelton**, in response to India, noted that he believed that there was sufficient comparability between the people putting the statistics together, even with the complexities of quantifying an illegal product, and that it was important not to get lost in statistics since everyone agreed that the magnitude of the problem in Sierra Leone was clear. He noted that the representative of India had stated that the share of diamonds from Sierra Leone was 0.03 per cent and that the participants ought to put that in perspective. However, he noted, while it was true that the Sierra Leone output as a percentage of world output was very small, the perspective could not be taken that it was unimportant since it was very important for the people that had been killed and maimed in Sierra Leone.

25. **Mr. Pal** stated that he had simply been trying to set the problem in the perspective for the global trade. However, the figure he had based his statement on had been inaccurate. The correct percentage for Sierra Leone would be 0.9 per cent, he stated. In responding to Mr. Coxon, who had stated that it was fairly easy to distinguish the diamonds from the three main areas of Sierra Leone, he noted that at a recent meeting organized by the Security Council the participants had been told by other experts that it was not possible to determine where the diamonds were mined. He questioned how it would be possible to satisfy oneself that diamonds originated in areas currently controlled by RUF since the resolution did not distinguish between the different areas of Sierra Leone.

26. **Mr. Yearsley** stated that within Sierra Leone there was a very good system of mines monitoring officers, very experienced experts in diamonds who had done work in RUF-controlled areas. They knew the capacity or the areas and who had licences and who did not. Diamonds could not be sold without licences. If suddenly an area was exceeding its capacity, it would be flagged. A system was in place in Sierra Leone, he noted, although it was not in operation. Given the capacity and technical support, it could work, he stressed. The geological identification of diamonds, as against the scientific identification of diamonds, was what was being looked at.

27. **Mr. Coxon** stated that it was correct that technically it was not possible to determine the area from which a particular diamond had come, that mining companies greatly desired to develop such a technique and that work was continuing. The point he wished to make, he stressed, was that parcels of diamonds created a picture in their original form. He did not think his colleagues would disagree that the Kono diamonds were easily recognizable. Tongo Field diamonds had cotton wool inclusions not found in other areas. He wished to stress that it was possible to recognize diamonds from the various areas only in parcel form. Measures had been successful in reducing the offers the rebels were receiving for diamonds by 30 per cent. India was right in stating that such trade could not be completely stopped. The final solution, he stated, was inviting those persons to return to the countries from which they had come.

28. **Mr. Deen** stated that there was a system already in place. Diamond dealers could only buy diamonds from persons with a mining licence. Mining officials who monitored the system went out periodically to the dealer offices to inspect their books. When diamond parcels came in to Freetown, the diamond valuer was able to tell the diamonds from Kono, of which the crystal edges were fairly sharp and could be differentiated from the Bo diamonds, which were rounded and fairly water-worn. Those were the techniques currently available, which it was hoped would be intensified.

Observations

- Diamond exports from Sierra Leone, which have fallen precipitously since 1996, increased sharply in June 2000, when the Security Council started to discuss the idea of banning all illegal diamond exports from Sierra Leone until a proper certification regime was put in place. All diamond exports are currently suspended pending the start of the new certification regime.
- The smuggling of diamonds through neighbouring countries has funded the Revolutionary United Front.
- Internal systems of control must be established to ensure that RUF mined/controlled diamonds were not sold/laundered through the government-run certification system.
- The capacity of Sierra Leone to implement and enforce legislation must be increased.
- The value of the certification system put in place in Sierra Leone will depend on the implementation of a global system of control.

- A credible international database of the geological resource base of countries must be developed.
- Countries that exceed their known exploitation base could be excluded from world markets.
- The Security Council must take the lead in standardizing national legislation.
- A regional approach must be taken to ensure that neighbouring States comply with the resolution.
- Regional countries need technical assistance, including specialized training of customs officials.
- Mechanisms for controlling the import of rough diamonds should cover all diamond-importing countries in order to address all loopholes.
- At the international level, a global system of control, backed up by wide-ranging industry reforms that are practical to implement, could contribute to a lasting solution to the crisis of Sierra Leone's diamonds industry and the wider problem of conflict diamonds.
- Efforts should concentrate on neighbouring countries to inform them of the contents of the Security Council resolution and assist them in its implementation.
- Efforts in connection with the illegal export of diamonds from Sierra Leone should be coordinated with other initiatives (Angola, Democratic Republic of the Congo).

III. Link to trade in arms and other materiel

29. The second session of the hearing focused on the link of diamond trade to trade in arms and other materiel — e.g., how the illicit revenue is converted into arms purchase and which types of arms and other materiel are bought with diamond revenue. **Richard Holbrooke (United States)** welcomed the participation of Liberia and Burkina Faso in the hearing, and stated that the Governments of those countries, including through the actions of their Presidents, were fuelling the war in Sierra Leone and profiting from the arms-for-diamonds trade. In this connection, he mentioned that the United States intended to support measures against both Burkina Faso and Liberia unless they ceased their support for the war in Sierra Leone. Noting that RUF was acquiring machine guns, shoulder-fired surface-to-air missiles and the means to shoot down aircraft, he raised questions as to who manufactured the weapons; which middleman sold them; who issued the end-user certificates; where they entered African airspace; where they landed; where they were trans-shipped; and how they found their way into the forest of Sierra Leone.

30. Stating that conflict diamonds have provided RUF leaders the means to fund their nine-year insurgency, he estimated that RUF had garnered $30 to $50 million and as much as $125 million a year from the illicit sale of diamonds. The principal vendor appeared to have been RUF leader Foday Sankoh until his arrest. Other RUF commanders, including Sam Bockarie, a.k.a. "Mosquito", had been selling as well. Unidentified middlemen, many of them Lebanese, bought and resold diamonds to Belgian, Israeli, South African, Indian and other buyers. Most trade moved through Liberia, but in the late 1990s Guinea reportedly was a transit route for some 40 per cent of smuggled Sierra Leone diamonds. Significant quantities subsequently passed through Côte d'Ivoire and Burkina Faso, probably for sale to South African and European buyers. The diamonds might also pass through the Russian Federation, Switzerland or the Netherlands prior to their arrival in Antwerp. In the last several years, Liberia had exported 6 million carats of rough diamonds worth $300 million even though its estimated productive capacity was only 100 to 150,000 carats, worth less than $10 million. RUF leaders and the President of Liberia had undoubtedly been taking large commissions.

31. He mentioned that the principal African countries involved in arms trafficking to RUF included Burkina Faso, Liberia and the Libyan Arab Jamahiriya. In 1999, planes landed in Ouagadougou from Ukraine with several tons of small arms and ammunition; the incident should be brought to the attention of the Sierra Leone Sanctions Committee. Arms brokers, including Zief Morganstein, a well-known arms and diamond dealer in Sierra Leone, had played a vital role in keeping RUF supplied with weapons and other military materiel. There had been other connections between former government officials of South Africa during its apartheid regime, who now operated as private individuals, including Fred Rindel, former South African Defence Attaché in Washington, D.C., who now worked as a security consultant in Liberia and trained Liberian troops and RUF soldiers.

32. **Mr. Smith** stressed the "formidable complexity" involved in tracking the process by which smuggled

diamonds generated revenue to buy arms, but said that better surveillance would make it an easier process. Mr. Smith cited April 1999 as an example, when the Commander of the ECOWAS Monitoring Group (ECOMOG), Major General Felix Mujakpero, had sent a full report to the Security Council, citing a 67,000 kilograms (kg) consignment of arms and ammunition that had passed from the Ukraine, through Burkina Faso and Liberia, and on to RUF in Sierra Leone. Ukraine's state-owned Ukrspetsexport had been issued with an end-user certificate from Burkina Faso, stating that Burkina Faso was the final customer for the equipment and that it would not re-export the equipment without consulting the Government of Ukraine. The purchase of weapons and ammunition was arranged by Gibraltar-based Chartered Engineering and Technical Company, which had then contracted a trade agent of the Ukrainian air carrier Antonov design Bureau — the British company Air Foyle — to fly the goods to Burkina Faso. According to the documents, Mr. Smith said, flight ADB 1737, an Antonov-124 (registration UR-82008) had carried 67,564 kg of "defense equipment and ammunition" from Kiev to Ouagadougou on 13 March 1999. The end-user certificate had indicated 3,000 AKM (Kalashnikov assault rifles), 50 machine guns, 25 rocket propelled grenade launchers, 5 Strela-3 (also known as SA-7) missiles and 5 metis anti-tank missile systems, as well as ammunition for all of the above. Further details, Mr. Smith continued, had been uncovered regarding the spotting of a crew unloading arms from a Burkina-registered Boeing 727-14 (registration XT-BBE) on 26 and 29 February 1998, after flying from Ouagadougou to Monrovia airport. The flight had originated in Rabat, Morocco. These examples indicated the complexity of the arrangements, Mr. Smith said, involving officials or businessmen in at least seven countries: Burkina Faso, Gibraltar, Liberia, Morocco, Sierra Leone, Ukraine and United Kingdom, and involved Western States and former Eastern Bloc countries as well as African States.

33. Legitimate business activities were often used to camouflage arms and diamond traffickers. Mr. Smith cited Ukrainian businessman Leonid Minim as an example. Minim had been identified by ECOMOG officers as a major arms supplier to RUF, was close to Liberian senior officials and operated a timber company, Exotic Tropical Timber Enterprise, that also dealt in diamonds and arms. Although none of these operations necessarily reflected on the Ukrainian Government, Mr. Smith stressed that there was a danger that Ukraine-based traffickers might exploit links between the country's armaments sector and its diamond-cutting and polishing trade to organize guns for gems, and that it would leave no audit trail.

34. Colonel Fred Rindel, military consultant to the Liberian Government, was also cited by Mr. Smith as another example of the complex international links in arms and diamond smuggling. In the 1980s, Colonel Rindel was a military attaché in South Africa's embassy in Washington, D.C., followed by his post as liaison officer between the South African Defence Force (SADF) and Jonas Savimbi's UNITA forces, where he learned his tactical sense and knowledge of the diamond business, which had been invaluable to him in his current role. It was reported that Colonel Rindel was paid for his military services in part in gemstone diamonds, and that he supplied strategic and military support to RUF.

35. In order to implement Security Council resolution 1306 and improve the diamond trade regime in Sierra Leone, there was an urgent need for comprehensive and coordinated monitoring, a West African commitment to sanctions on an official level, technical assistance to Sierra Leone and the subregion, new methods of surveillance and international coordination.

36. Noting how important it was to have this hearing at this juncture, **Mr. Hazelton** mentioned that Liberia's dealings in Sierra Leone's stolen diamonds had been a major concern to successive Sierra Leone Governments since the great diamond rush of the 1950s had triggered massive smuggling of the country's gems through Monrovia. Charles Taylor's connections with the current President of Burkina Faso dated from the mid-1980s. Since then, Burkina Faso and the Libyan Arab Jamahiriya had provided a base for Taylor's National Patriotic Front of Liberia (NPFL). At training camps in both countries, NPFL soldiers became acquainted with Foday Sankoh and other Sierra Leoneans in the fledgling RUF, whose emphasis from the start was on diamond areas around Koindu and later the Kono District. In the mid-1990s, NPFL was said to have become heavily involved in the international drug trade. In February 1999, the London Times reported that the United Nations and "western intelligence agencies" were investigating the probability that an international criminal consortium of diamond dealers and cocaine traffickers were behind the attempt by

Taylor to seize Sierra Leone's diamond fields through their RUF proxy. The article named Fred Rindel and Nico Shefer, an Ecuadorian who was once in business with Colombian drug baron, Pablo Escobar, as central figures of this consortium. Regarding arms shipment, Hazelton stated that the 40-ton consignment of arms from Bratislava, Slovakia, to rebel-held territory in eastern Sierra Leone, based on the contract between RUF and two British companies in late 1998, was said to have been acquired with diamond resources. The arms were crucial in the successful and highly destructive RUF attack on Freetown in January 1999.

37. In January 1999, ECOMOG had apprehended an Israeli named Yair Klein, a former Israeli military officer, who had attempted to sell helicopter spare parts to the Freetown authorities just after the attack by RUF on the capital. He was accused of spying for the rebels and supplying them with arms through Liberian networks directly linked to the Liberian President. Klein had been involved in the training of Taylor's elite fighters and before that, through his company, Spearhead Inc., he had worked in Colombia, by whose authorities he is reportedly still wanted for providing instruction and training in terrorist activities to paramilitary and vigilante groups there.

38. Dr. Hazelton mentioned that there was strong evidence that Liberia had become a key centre for illicit diamond-related activity, with connections to arms trafficking from other countries in the region as well as to Sierra Leone and possibly further afield. This contravened Security Council resolutions 788 (1992), 985 (1995) and 1132 (1997). In its May 2000 report, Human Rights Watch had detailed arms shipments to Liberia and to RUF through neighbouring countries. In July 2000, documents were released by the British Broadcasting Corporation, one of which was said to be a Sierra Leone Police Special Branch report on weapons transfers to RUF troops in the diamond areas of Sierra Leone from Burkina Faso via Liberia.

39. In conclusion, Mr. Hazelton stated that the panel of experts must determine and make public the link between diamond and arms acquired. If it was true that the British Government, the United States State Department and the Western intelligence agencies had solid evidence of Liberian arms support for RUF in exchange for diamonds, that should be made public and/or acted upon. De Beers had calculated that Liberia mined $10 million in diamonds annually, while President Taylor had denied charges of official complicity in diamond smuggling. In this regard, a temporary international ban on all Liberian diamonds could be instituted until the discrepancy between Liberia's known diamond resources and official Belgian imports could be reconciled.

40. **Brian Wood** stated that various papers had been taken from the house of Foday Sankoh when he was arrested in May 2000. One of the documents, a hand-written memorandum entitled "Situation report" from "The Black Revolutionary Guards" to "The Leader", recalled the recent struggle for survival and stated: "President Charles Taylor gave full assurance to the High Command (of RUF) and promised to give his maximum support to RUF. He also took an oath that he would never betray his brother (Corporal Foday Sankoh). From that point on, the President gave huge quantities of logistics (ammunitions) to the High Command for us to start repelling the ECOMOG advance". Brigadiers Issah Sesay and Mike Lamin, as well as General Ibrahim and J.P.K., were mentioned in the memorandum. The same document also stated that when General Ibrahim returned to Burkina Faso, the "High Command also received a good amount of diamonds from Kono. He also planned to send another good parcel to General Ibrahim in Burkina Faso for ammunition and arms as he had started making some important contacts for material. The High Commander therefore decided to hand over the said parcel of diamonds to Brigadier Issah Sesay so that he might pass through Monrovia and make his way to Burkina Faso and meet General Ibrahim to work out fast modalities to get some needed materials for us". The memorandum went on to state that: "The High Command was called in every month to report to Monrovia for briefing."

41. According to the memorandum, in October 1998 the High Command, the War Council Chairman and one S.L.A. representative, Colonel Eddy Kanneh, went to Burkina Faso and met President Compaore, who gave "words of confidence and assurance" that "he would not let Corporal Foday Sankoh down at all". President Compaore "instructed the High Command to forward the RUF issue to the Organization of African Unity (OAU) as he was the current OAU Chairman". On their return, "they were given a huge quantity of materials for a serious offensive to start a campaign for the release of our leader". The delegation, the memorandum went on to mention, went back to Monrovia in November, and the combatants "agreed to

start the operation in capturing Kono ... they succeeded in overrunning Kono and capturing some artillery weapons and a huge quantity of arms and ammunition". The memorandum proceeded to outline the infighting between RUF commanders, apparently over diamond proceeds, culminating in the killing of Colonel Rambo by "Superman's" (alias for Brigadier Denis Mingle) men in Makeni. It also stated that Lieutenant Colonel Kennedy was the overall mining commander, and that one businessman from Cuba named Carlos offered the movement one FM radio station, which was being built on a hill in Dodo Katumo.

42. Another report from Brigadier Issa Sesay to "the Leader of the Revolution", dated 27 September 1999, stated that "General Mosquito was able to make positive contact with the United Liberation Movement for Liberian Democracy (ULIMO) and make all the necessary arrangements to buy the materials from them." Wood endorsed Patrick Smith and others regarding the complicated system of arms dealings. According to Wood, a British pilot admitted to flying arms to Makeni in March 1995 and a large smuggled shipment in 1997 with Transair. The pilot also stated that Transline, based in Monrovia, acted as his agents. He was not told what the cargo consisted of but received a $10,000-per-month salary. Since 1994, he had operated 50 flights, picking up cargo in Cairo, then flying onto various destinations, mainly to Angola, with arms and ammunition, sometimes mines.

43. Arms trafficking to RUF is linked to UNITA, Wood continued. Four interviews were conducted with aircrew, one of whom said he had shifted the materiel to Bout's aircraft. Bout runs well over 30 aircraft, some based in Equatorial Guinea. Once the panel of experts was in place, Mr. Wood suggested that it could go into more details. He pointed out that few States had laws to regulate arms dealers and traffickers. In that connection, Mr. Wood urged the Committee and the Security Council to compel States to take swift action. Such arms brokering and shipping agents should be registered and then request licenses from their home Governments. Law enforcement agency had to start investigations afresh in dealing with different cases, including those agents' bank accounts and details of transactions. However, States needed more assistance in this regard.

44. **Mr. Izhakoff** stated that if such a list of arms brokering and shipping agents could be obtained from the United Nations, the World Diamond Council could cooperate by posting it in public places.

45. **Mr. Greenstock** welcomed the decision taken by ECOWAS to examine the general problem of arms and diamonds in Sierra Leone, and urged the hearing to pay specific attention to Liberia and Burkina Faso. Regarding the former, Ambassador Fowler acknowledged President Taylor's genuine concerns about the stability of his regime, Liberia's economic and political interests in West Africa and personal, political and military ties between RUF and NPFL. However, he noted that reliable sources showed that President Taylor was orchestrating the activities of RUF, in terms of encouragement, strategic direction, leadership and military support and was using RUF to retain control of Sierra Leone's diamond resources. **Stephen Pattison (United Kingdom)** expanded on the Liberian involvement with RUF, highlighting their contacts with RUF leadership, involvement in the supply of arms to RUF and interest in the Sierra Leone diamond industry.

46. Some key points regarding President Taylor's meetings with RUF commanders, which he chaired in Monrovia or co-hosted with President Blaise Compaore in Burkina Faso, were highlighted by Mr. Pattison. In particular:

(a) Commanders included Issa Sesay, Gibril Massaquoi, Morris Kallon and Augustin Gbow (based in Sierra Leone); Sam Bockerie and Edward Kanneh (based in Liberia); and Ibrahim Bah (based in Burkina Faso);

(b) On 5 June 2000, Sam Bockerie, Gibril Massaquoi and Edward Kanneh had accompanied President Taylor on a trip to Ougadougou, Burkina Faso, to meet President Compaore. Massaquoi was carrying a quantity of diamonds and a Liberian helicopter had flown him from Kono diamond area to Monrovia, whence he was flown to Ouagadougou;

(c) On 10 June 2000, Gibril Massaquoi had flown to Monrovia to meet President Taylor, taking with him more diamonds and obtaining six trucks to transport material back to Sierra Leone.

47. Strategically, Mr. Pattison continued, RUF had acted on President Taylor's proposal to fortify the diamond areas around Kono.

48. Militarily, President Taylor regularly supplied RUF with arms, ammunition, fuel, food and medicines,

transported by helicopter, and organized the transport of RUF, Liberian, Burkina Faso and Guinea personnel and RUF mercenaries, as follows:

(a) Since June 2000, ammunition and other supplies had been shuttled by helicopter from Monrovia, Liberia, to Sierra Leone, and two truck loads of ammunition and food had left Monrovia for Sierra Leone on 8 June;

(b) In late June, President Taylor had authorized an arms shipment to Sierra Leone, including rocket propelled grenades, mortars and rifles, escorted by RUF commander Issa Sesay;

(c) At least 1,000 troops linked to Bockarie had crossed from Monrovia into eastern Sierra Leone during May and June and some 400 to 500 RUF, Burkina Faso and Liberian soldiers, armed with rifles, rocket propelled grenades and flamethrowers, had been led by him across the (Liberian) border during the last week of June.

49. President Taylor had sought to tighten control of Sierra Leonean diamond production, Mr. Pattison continued, such as:

(a) Authorizing in June a South African-based diamond mining and trading company to establish a cover company in Liberia (the Liberian Investment Corporation), with a subsidiary in Burkina Faso to hide RUF mining operations in Sierra Leone;

(b) Calling in a South African private security team to assess the military situation around the Kono diamond area and advise on defensive measures;

(c) Checking weekly on diamond production levels in the Kono region.

50. Long-standing links between President Compaore, President Taylor and Foday Sankoh were also highlighted. In early May 2000, Mr. Pattison said, Sam Bockarie had travelled to Ougadougou to meet President Compaore to discuss Bockarie's future role in RUF, and on 4 June 2000, President Taylor, accompanied by senior RUF commanders, had visited President Compaore to ask for manpower.

51. Concerning diamonds, Mr. Pattison concluded, as much as 40 per cent of the diamonds mined in Sierra Leone reach the outside world via Burkina Faso, with the other 60 per cent going via Liberia.

52. **Michel Kafando (Burkina Faso)** stated that "attacks" on his country should be supported by concrete proof. Last year, his country had received a communication from the Sierra Leone Sanctions Committee, asking for information regarding the shipment of arms from Ukraine to Burkina Faso. Investigations had showed that the allegations were not true. Indeed, Burkina Faso ordered arms for its own needs, but nothing had been diverted to other countries.

53. He stated that there was thus no need to defend itself. He added that Burkina Faso was very much concerned with the situation in Sierra Leone and was part of the Committee carrying out the Lomé Agreement. Its Government had established a team to be in charge of carrying out investigations regarding violations of the Sierra Leone sanctions. If the Sierra Leone Sanctions Committee required certain documents, Burkina Faso was ready to forward them. Burkina Faso declared itself ready to receive any United Nations team to carry out investigations regarding the Sierra Leone questions, he mentioned.

54. **Sylvester E. Rowe (Sierra Leone)** stated that his Government believed that RUF procured arms and ammunition to fuel its war from the illegal mining and sale of diamonds; that those arms included 120 millimetre (mm) mortar and bombs, anti-personnel mines, anti-aircraft guns and ammunition, rocket-propelled grenade tubes and bombs, 82 and 60 mm mortars and bombs, heavy machine guns, 12 Bore AK 47 and 58 rifles, 50 mm anti-aircraft guns, and SAM-7 (surface-to-air missiles); that the sources of origin of these weapons were mainly Eastern Europe; that they were acquired through middlemen, diamond dealers "big brothers" and others in the West African subregion and other parts of Africa; that the trainers of RUF who were paid in diamonds were from Eastern and Western Europe, the West African subregion and other parts of Africa; that RUF also offered mining contracts, lease agreements and concessions to its foreign partners in exchange for weapons, mining equipment and other supplies; and that without diamonds, RUF would be incapable of violating the Lomé Agreement, of threatening, detaining and killing the United Nations Mission in Sierra Leone (UNAMSIL) personnel, of impeding the delivery of humanitarian assistance to innocent civilians and of continuing the rebel war.

55. He maintained that the human tragedy in that country could be significantly alleviated by eroding the foundation on which RUF had built its brutal and

inhuman aims and objectives. The international community should remember that this was the same organization that had launched the campaign, "Operation no living thing".

56. **Valeri Kuchynski (Ukraine)** stated that his Government consistently took steps to prevent illegal arms transfers from its territory in violation of the decisions of the Security Council. In the field of diamond trade, his Government was considering a draft legislation that would implement the embargo imposed by Council resolution 1306 (2000).

57. With regard to the issue of the case involving the supply of Ukrainian weapons to the rebels of Sierra Leone via Burkina Faso, he cited a letter dated 26 April 1999 to the Liberia and Sierra Leone Sanctions Committees, stating that investigation had showed that the shipment did take place from Ukraine to Burkina Faso, whose Ministry of Defense had issued the relevant delivery confirmation certificate, and that Ukrainian authorities had ascertained the authenticity of seals both on the delivery confirmation certificate and on the end-user certificate. There was no indication in relevant documents that the shipment was destined for re-export to any other legal or natural person in any other third country. He mentioned that the delivery had been made within Ukrainian laws and international norms. However, he continued, Ukraine was concerned that sanctions might have been violated. Ukraine's cooperation and assistance provided to the Sierra Leone Sanctions Committee was a concrete proof of Ukraine's commitment to the intensified efforts aimed at increasing effectiveness of the existing sanctions regimes in particular on Sierra Leone.

58. **Monie Captan (Liberia)** stated that his Government was disappointed with reports made by other participants at the hearing since it had expected that concrete proof would be provided regarding allegations of Liberia's involvement in sanctions violations, so that every State could look into it. Papers presented by the United Kingdom contained information from journals, radios and Western intelligence. However, concrete evidence was needed. Furthermore, Liberia had been told to prove its denial of the allegations. He stated that his country would like to be able to scrutinize the evidence. President Taylor suggested to United States Assistant-Secretary of State Pickering that he present the evidence to an eminent panel.

59. **Adriaan Kooijmans (Netherlands)** stated that it was grateful to the United Kingdom for information, and agreed with the United States and Sierra Leone regarding "naming and shaming". The panel of experts, once established, should look into the whole issue in more detail. The Netherlands also agreed with France regarding the permanent body to monitor the international diamond trade.

Observations

- The whole process by which smuggled diamonds generate revenue to buy arms is extremely complex. However, better surveillance could track the transactions and reduce the illicit import of the arms that fuelled internal conflicts. This requires comprehensive and coordinated surveillance and maximum commitment by all the Governments concerned.
- A panel of experts could make public the connection between Sierra Leone conflict diamond and their link to weapons, and support for this operation from other countries in the region.
- Relevant Governments in the region should take immediate steps to stringently enforce the arms embargo to ensure that none of the supplies of arms and related materiel reaches rebel forces in Sierra Leone.
- The Security Council should provide sufficient human and financial resources for effective monitoring of the arms embargo. Monitors could be placed on borders as well as at airbases and air strips in the bush. A panel of experts should carry out vigorous investigations into allegations of violations of the arms embargo.
- Arms brokering and shipping agents should be brought to justice so that they can be prosecuted if they contravene the export control laws of the country where they are based. If the list of arms brokering and shipping agents who operate illegally is made available by the United Nations, the World Diamond Council could cooperate also by posting it for the information of their member companies.
- Few Governments have adequate laws to regulate arms brokers and transport agents. In most cases, brokers could operate without authorization from

their Governments so long as the weapons they handled were not taken through their home country. Better control over arms brokers, including through the establishment of national register of arms brokers, with mandatory requirements for brokers to submit details of their transactions, could be looked into.

- An important link in the chain of steps for converting revenue from diamonds to illicit procurement of arms is the abuse of aviation control mechanisms, in particular those of the region.

IV. Ways and means for development of a sustainable and well regulated diamond industry in Sierra Leone

60. In the third session, the hearing covered the ways and means to develop a sustainable and well regulated diamond industry in Sierra Leone — e.g., the role of the Government of Sierra Leone, and possible international assistance.

61. A new mining and export regime for diamonds for Sierra Leone was introduced by **Mr. Deen**, in compliance with Security Council resolution 1306 (2000) and in consultation with the Governments of the United Kingdom, the United States, Belgium and Israel, and with the technical assistance of the Diamond High Council of Antwerp, the United States Agency for International Development and the Foreign and Commonwealth Office of the United Kingdom. The objectives of a new mining, marketing and exporting regime for diamonds, Mr. Deen said, were to terminate the rebels' ability to wage war, ensure that the Sierra Leonean people benefited from the legal diamond trade and discourage the international diamond market from dealing in conflict diamonds.

62. The new regime was explained in detail by **Mr. Van Bockstael**, speaking on behalf of the Government of Sierra Leone, who illustrated how the proposed certificate of origin would work, by such means as forgery-proof security paper, and the functions of its component parts, including an import confirmation certificate, a numbered label and a commercial invoice. These procedures, as well as a new electronic database, digital photographs and procedures for handling parcels, would be put into immediate practice. The Government proposed to put these systems into operation on a trial basis for a period of 90 days, after which they would be revised and, with the assistance of the Diamond High Council and other Governments and in accordance with operative paragraph 4 of Security Council resolution 1306 (2000), the Government would then notify the Committee of the final details of the certificate of origin regime when it was fully in operation.

63. Following the initial comments by **Mr. Greenstock** on the presentation, **Mr. Izhakoff** assured the hearing that the diamond industry would enforce the regulations as outlined in the new system and, regarding the United Kingdom's concern that a universal system was needed before the new regime would work on the ground, Mr. Van Bockstael said that there was already a certificate of origin regime in place in Angola, and that the new regime in Sierra Leone included more elaborate and fool-proof parameters. **Stephan de Loecker (Belgium)** suggested that his Government and the Diamond High Council were willing to share their knowledge and expertise with every country that envisaged a certification system comparable to that of Sierra Leone. **Howard Jeter (United States)** added that an effective certification system for Sierra Leone diamonds could serve as a model for future systems in other diamond-exporting countries, which could in turn be linked into a network with key importing centres in Belgium, Israel, India and elsewhere. If the Committee was satisfied with the regime, **Mr. Deen** said, the new system could be under way in a couple of weeks. Following concerns from **Mr. Jeter** and **Mr. Yearsley** regarding the monitoring of the new regime and what would happen to illicit diamonds when they were identified, the hearing was told that the diamond industry had already enacted legislation that anyone caught with illicit diamonds would be expelled immediately, but that the question of what to do with the diamonds was one that Governments should address. **Mr. Coxon** suggested that the Sanctions Committee consider the possibility of granting a special dispensation under Security Council resolution 1306 (2000), whereby illegally exported diamonds from Sierra Leone would be repatriated and offered for sale through government tender in that country. The identification of such diamonds, Mr. Coxon continued, could be validated and confirmed by a neutral third party, appointed by the Sanctions Committee.

64. Concerns regarding the principle and necessity for transparency and accountability within national and

international markets were raised by **Mr. Jeter**, **Mr. Hazelton** and **Peter Takirambudde**. **Mr. Takirambudde** and **Mr. Jeter** pointed out that existing widespread and official corruption in Sierra Leone would affect the good intentions of the new regime, and that illicit routes both within neighbouring States and the international diamond market must be shut down. **Mr. Deen** said that the new certificate of origin and monitoring mechanism would tackle not only conflict diamonds but also illicit diamonds. **Mr. de Loecker** pointed towards the certificate of origin regime, if effective, as the basis for a fully transparent diamond trade and outlined the legal steps that had already been taken to ensure transparency, while stressing Belgium's readiness to continue playing a constructive role in that respect.

65. As a response to **Mr. Takirambudde**'s foremost concern, that there was no external independent auditing machine in Sierra Leone to guarantee the elimination of illicit diamonds, **Mr. Izhakoff** referred to paragraph 9 of the joint resolution, adopted at the World Diamond Congress in Antwerp on 19 July 2000, which had mandated an International Diamond Council, comprised of producers, manufacturers, traders, Governments and relevant international organizations and to paragraph 19 of Security Council resolution 1306 (2000), by which the Council had established a five-member panel of experts. **Mr. Hazelton** highlighted the Lebanese role in the domination of the diamond trade in Guinea, Liberia and Côte d'Ivoire, and called for a panel of experts to examine the role of this network in greater detail, and **Mr. Takirambudde** asked the Security Council to take steps to ensure that there was no repetition of the "afflicting initiatives" that affected the panel for Angola, such as poor logistics, a poorly drafted mandate and an unwillingness on the part of Governments to share information.

66. **Mr. Smith** highlighted two possible ways of tackling the central political issue of the distribution of benefits from Sierra Leone's mining sector — a state-led strategy or a market-led strategy. The former would involve the Sierra Leonean State taking a major financial stake in the diamond sector; the latter would involve providing financial incentives along the chain of mining, buying and exporting, providing strong market signals to legitimize productions and trade. A strengthening of the international support, the securing of Kono by government forces and technical assistance to help coordinate reforms regionally and subregionally were cited by **Mr. Smith** and **Mr. Hazelton** as necessary steps for the new regime to work. **Mr. Deen** responded in part by pointing out that Sierra Leone had had a bitter experience with the state-led strategy in the past, when it became involved in Kimberlite diamonds, resulting in the shut-down of that company; thus, **Mr. Deen** said, the Government preferred to stay out of business and guarantee security of tenure.

67. Regarding Liberian diamond trade, **Mr. Captan** stressed that the Liberian Government already used a declaration of the origin of precious commodities, including diamonds, and had recently introduced a certificate of origin regime for diamonds, both of which, he stressed, would only be effective with the cooperation of buyer countries. He added that, due to its seven year civil war, Liberia did not have the money or the resources to monitor and control the illicit diamond trade, and could only do so with technical assistance. In addition, most so-called Liberian diamonds entering Antwerp, Mr. Captan said, actually came from the Russian Federation in order to avoid the 0.3 per cent import levy that Belgium charged on non-African goods. Concerning Sierra Leone, crucial questions should be answered, Mr. Captan said, such as which diamonds the Government of Sierra Leone had been certificating thus far and whether the certificate of origin regime denied rebels access to funds. Mr. Captan highlighted with concern the illegal trade in arms in West Africa, stressing that despite Liberia's voluntary destruction of over 21,000 small arms and 3 million rounds of ammunition and its signature of the ECOWAS Protocol on the Moratorium on Small Arms, neighbouring countries had attacked Liberia for the third time. Could the United Nations deny the people of Liberia their right to self-defence? The establishment of an arms registry databank to monitor the production and sale of arms and ammunition by arms-producing countries would provide an ideal arms-tracking mechanism.

68. **Mr. Doutriaux** notified the hearing that the Secretary-General was about to announce the membership of a panel of experts, and he advised the Sanctions Committee and the panel to make a rapid decision on the certificate of origin and to cooperate with the West African States, NGOs, the diamond industry, States etc. when exploring how to strengthen implementation and international cooperation. In conclusion, Mr. Doutriaux asked the panellists and the

Sanctions Committee to be aware of the possibility that new forms of illicit diamond trafficking in new areas of the world would emerge and consider ways of preventing that. **Mr. Kafando** stated Burkina Faso's hope that the hearing would extend to other resources that fuelled wars in the world and that all causes of war be addressed. While endorsing the establishment of a single permanent body responsible for the coordination of sanctions and diamonds in general, Mr. Kafando asked whether the measures suggested were sufficient, and stressed the importance of persuading the parties concerned that it was in their interest to abandon violence.

69. **Mr. Pattison** assured the hearing that the Security Council hoped soon to take action to strengthen UNAMSIL and to establish a special atrocities court regarding events in Sierra Leone.

70. **The Chairman** said that the main objective of the unprecedented hearing had been to broaden the Committee's understanding of the situation in Sierra Leone and its impact on neighbouring countries and on international peace and security. The participation of representatives of the diamond industry and of international, regional and non-governmental organizations had proven to be very effective in that regard.

71. The Committee would meet within the next week to consider the complex certificate of origin regime proposed by the Government of Sierra Leone, and he welcomed the strong support of the diamond industry for measures to control the illicit traffic in Sierra Leonean diamonds. He also welcomed the establishment of the Diamond High Council and the adoption at the twenty-ninth World Diamond Congress of the World Federation of Diamond Bourses and the International Diamond Manufacturers Association of a resolution aimed at establishing safeguards and standards of conduct for the diamond industry.

72. The hearing had highlighted the important role of neighbouring States in the enforcement of the sanctions against RUF. Greater awareness was needed in those States of the problem of conflict diamonds, and the offer by representatives of the diamond industry to travel to the region to disseminate information on the proposed international control regime was therefore welcome. The media also had a contribution to make in that regard. He welcomed the decision by ECOWAS member States to establish a regional commission of inquiry into the illegal trade in diamonds, and looked forward to working closely with the commission.

73. The panel of experts to be established pursuant to Security Council resolution 1306 (2000) would consist of Marti Ayafor (Cameroon), who would serve as Chairman of the panel; Johan Peleman (Belgium), an expert on arms; Ian Smillie (Canada), an expert on the diamond industry; Harjit Singh Sandhu (India); and Atabou Bodian (Senegal). He hoped that the panel, which was to report to the Security Council through the Committee no later than 31 October 2000, would learn from the experience of the panel established pursuant to Security Council resolution 1237 (1999) concerning Angola.

74. The Committee was aware that careful monitoring would be required in order to ensure the effective implementation of many elements of Security Council resolution 1306 (2000). Accordingly, it would review the implementation of the resolution at regular intervals. It would also be in a better position to judge what further measures were needed to stop the illegal traffic in Sierra Leonean diamonds after the submission of the panel's report. He wished to reiterate that the Committee's main aim was to alleviate the anguish and suffering caused to the people of Sierra Leone by the trade in conflict diamonds.

Observations

- The implementation of the procedures for the certificate of origin regime, as proposed by the Government of Sierra Leone, should start as quickly as possible. The Government of Sierra Leone would report to the Sierra Leone Sanctions Committee in this regard, and the Committee would act upon it immediately.
- An effective certification system for Sierra Leonean diamonds would serve as a model for future systems in other diamond exporting countries, which could in turn be linked into a network, with key importing centres in Belgium, Israel, India and elsewhere.
- The strengthening of international support, the securing of all diamond-producing areas by the Government and technical assistance to help coordinate reforms are necessary for the new regime to work.

- Effective internal monitoring of diamond purchase and export by Sierra Leone would be essential for the success of the proposed new regime. Consideration should be given to the establishment of a national regulatory body comprised of knowledgeable representatives from Government, the academia, civil society and the diamond industry.
- An effective banking network and financial system are required for full implementation of the new regime.
- The usefulness of an independent auditing regime for greater effectiveness and transparency should be looked into.
- Governments need to address the question of what to do with illicit diamonds once they are obtained.
- Transparency and accountability within national and international diamond markets must be established. Their compliance is crucial for the implementation of the new measures proposed.
- The diamond industry would enforce regulations as outlined in the new system.
- Regionally, efforts should be made to coordinate reforms in Sierra Leone with reforms in gem-trading and gem-producing countries in the subregion.
- Technical assistance should be provided to regional countries in order to enable them to regulate and produce maximum value from legitimate national mining and trading activity, generate more accurate statistical data on production and trade, and better identify rogue traders.
- The possibility that new forms of illicit diamond trafficking may emerge in new areas of the world should be addressed.

V. Conclusion

75. The deliberations held during the three sessions of the hearing covered in a detailed and comprehensive manner the issues of Sierra Leone diamond industry, the link to trade in arms and other material, and ways and means to develop a sustainable and well regulated diamond industry in Sierra Leone. A number of important observations were made, as reflected above, towards the development of Sierra Leone diamond resources in a way that promoted development and well-being of its people. The report and its observations are submitted to the Security Council for subsequent consideration and appropriate action.

76. Given that the panel of experts constituted according to the provisions of paragraph 19 of Security Council resolution 1306 (2000) has already begun its work, the observations of the hearing could also be taken up by the panel for more extensive investigation and follow-up.

Appendix

List of participants in the Sierra Leone exploratory hearing as per paragraph 12 of Security Council resolution 1306 (2000)

Invitees

Interested States

Angola

Belgium
Stephan de Loecker, Deputy Permanent Representative

Benin

Bulgaria

Burkina Faso
Michel Kafando, Permanent Representative

Canada
Robert Fowler, Chairman, Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola

Louis Guay, Director, West Africa Division, Ministry of Foreign Affairs

Cape Verde

Côte d'Ivoire

France
Yves Doutriaux, Deputy Permanent Representative

Gambia

Ghana

Guinea

Guinea-Bissau

India
Satyabrata Pal, Deputy Permanent Representative

Israel

Liberia
Monie R. Captan, Minister of Foreign Affairs

Jenkins Dunbar, Minister of Lands, Mines and Energy

Mali

Mauritania

Netherlands
Adriaan Kooijmans, Counsellor

Niger

Nigeria

Russian Federation
Kutepov Andrey Nikolaevich, Deputy Head of State Treasury (Gokhran) under the Ministry of Finance

Katsuk Evgeny Ivanovich, Expert, State Treasury (Gokhran)

Senegal

Sierra Leone
Alhaji Mohammed Deen, Minister of Mineral Resources

South Africa

Togo

Ukraine
Valeri Kuchynski, First Deputy Permanent Representative

United Kingdom of Great Britain and Northern Ireland
Jeremy Greenstock, Permanent Representative

Stephen Pattison, Head of United Nations Department of the Foreign and Commonwealth Office

United States of America
Howard Jeter, Deputy Assistant Secretary of State for African Affairs

Richard Holbrooke, Permanent Representative

Nancy Soderberg, Alternate Representative for Political Affairs

International and regional organizations

World Bank
Preeti Arora

Organization of African Unity

Economic Community of West African States
H. U. Didigu, Legal Officer

Diamond trade associations (including representatives of their member companies)

Diamond High Council
Mark Van Bockstael, Director, International Affairs

International Diamond Manufacturers Association*
Sean Cohen, President

Jeffrey Fisher, Vice President, (President, Diamond Manufacturers and Importers Association of America)

World Federation of Diamond Bourses*
E. Izhakoff, Honorary President

* Merged recently to form the World Diamond Council.

Individuals with relevant experience

Patrick Smith (Africa Confidential)

A London-based journalist who specializes in political and economic development issues in Africa. He broadcasts regularly and is currently writing a book about the regional roots of the Sierra Leone conflict. For much of the 1980s, he lived in West Africa. He has reported on Africa for a major international newswire and several daily newspapers in Europe and North America. He addresses the Committee in his personal capacity.

Charmian Gooch and Alex Yearsley (Global Witness)

Charmian Gooch, a founding co-director of Global Witness, has been researching, along with her colleague, Alex Yearsley, the issue of conflict diamonds and the international diamond trade since mid-1996. During this time they have accumulated considerable working knowledge of the diamond trade and the issues related to conflict diamonds. Gooch and her colleagues have also investigated the way in which the illegal trade in timber in Cambodia was funding the conflict; their investigations and lobbying led to closing down the Khmer Rouge's main source of revenue, and they identified and slowed down massive corruption in the time sector. They are now official monitors for the international community of whether the Cambodian Government is meeting its commitments to the rest of the international community.

Ralph Hazleton (Partnership Africa Canada)

Holds a Ph.D. in economics. He has 25 years of experience, divided equally between Canadian academia, where he has worked as a political economist, and Africa, where he has worked as a senior manager of development and emergency efforts in Zaire, Zambia, the United Republic of Tanzania, Rwanda and more recently in Liberia and Sierra Leone. He was awarded the Meritorious Service Medal by the Government of Canada for his work with Rwandan refugees in Zaire in 1994-1995. He is a co-author of the January 2000 publication, *The Heart of the Matter: Sierra Leone, Diamonds and Human Security*.

Peter Takirambudde (Human Rights Watch)

A Regional Director at Human Rights Watch (HRW), he plays a key role in coordinating the work of HRW in Africa. He both facilitates the research of numerous staff members and also works directly on human rights issues in Africa. Prior to joining HRW, he held academic positions at the universities in the United States, Africa and Europe. He holds a Bachelor of Laws from Makeree University in Uganda and possesses a postgraduate diploma in legal practice in the Law Development Center. He was also awarded a Master of Laws and Doctor of Juridical Science from Yale University (1975/1977), and was postdoctoral Fellow at the Center for International Studies, Woodrow Wilson School of Affairs, Princeton University.

Brian Wood (Amnesty International)

Coordinates Amnesty International initiatives on military, security and police relations, and is normally based at Amnesty's London headquarters. However, for almost two years now he has been on sabbatical leave from Amnesty and has been

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Security Council

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Letter dated 4 December 2000 from the Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone addressed to the President of the Security Council

On behalf of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone, and further to my letter of 6 October 2000 addressed to the President of the Security Council (S/2000/966), the Government of Sierra Leone on 29 November 2000, in compliance with paragraph 2 of resolution 1306 (2000), submitted additional information to the Committee regarding the new certification regime for the export of Sierra Leone diamonds.

In this connection, and in accordance with paragraph 5 of Security Council resolution 1306 (2000), the Committee would appreciate it if this letter together with its enclosure were brought to the attention of the members of the Security Council and issued as a document of the Security Council.

(Signed) Anwarul Karim **Chowdhury**
Chairman
Security Council Committee established pursuant to
resolution 1132 (1997) concerning Sierra Leone

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Annex

Letter dated 29 November 2000 from the Permanent Representative of Sierra Leone to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone

With reference to my letter of 7 November 2000, I have the honour to forward herewith a document entitled "New Certification Regime for the Export of Sierra Leone Diamonds".

It contains relevant information, with annexes, and summarizes details of the certificate of origin system which became operational last month under the provisions of Security Council resolution 1306 (2000).

I should be grateful if you would have this document circulated to Member States accordingly.

(Signed) Ibrahim M. **Kamara**
Ambassador
Permanent Representative

Enclosure

GOVERNMENT OF SIERRA LEONE

NEW CERTIFICATION REGIME FOR THE EXPORT OF SIERRA LEONE DIAMONDS

I. INTRODUCTION

1. On 5 July 2000, the Security Council, by Resolution 1306 (2000 decided that "all States take the necessary measures to prohibit the direct and indirect import of all rough diamonds from Sierra Leone to their territory." The Council requested the Government of Sierra Leone to ensure, as a matter of urgency, that an effective Certificate of Origin regime for trade in diamonds is in operation in Sierra Leone.

2. The Council also decided that rough diamonds controlled by the Government of Sierra Leone through the Certificate of Origin regime shall be exempt from the prohibition when an effective regime was fully operational. The Council *inter alia* requested States, relevant international organizations and other bodies in a position to do so to offer assistance to the Government of Sierra Leone to facilitate the full operation of an effective Certificate of Origin regime for Sierra Leone rough diamonds.

3. In developing the new regime, the Government of Sierra Leone revised and substantially improved its existing diamond practices and procedures. It received assistance from the Governments of the United Kingdom, the United States, Belgium, and Israel, and with technical assistance of the Diamond High Council (HRD) of Antwerp, the United States Agency for International Development (USAID), and the Foreign and Commonwealth Office of the United Kingdom (DFID). The HRD had offered assistance in acquiring the hardware and software required putting the new systems into operation, and to train personnel. The British Foreign and Commonwealth Officer provided assistance in printing the first new Certificates of Origin, and USAID provided administrative and management experts to detect and help correct weaknesses that could compromise the integrity of the new systems, and to help create a monitoring system.

4. On 31 July 2000, in connection with the exploratory hearing organized by the Committee established by resolution 1132 (1997) ("the Committee"), to assess the role of diamonds and trade in arms and related materiel in violation of resolution 1171 (1998), the Government of Sierra Leone presented full details and description of the new regime for the export of rough and uncut diamonds, including samples of the new

Certificate of Origin. In compliance with resolution 1306 (2000), these were formally presented to the Committee on 4 August 2000.

5. The Committee subsequently took note of the proposed regime and requested further information on the programme for monitoring the sale of diamonds to be implemented by the Government of Sierra Leone under the proposed regime so that diamond export from Sierra Leone "can resume soon."

6. As requested, the Government of Sierra Leone submitted additional information, and informed the Committee that any delay in the export of diamonds, especially those that had been stockpiled since the adoption of resolution 1306 (2000), would have a serious negative impact on foreign exchange earnings needed to finance basic services in the war afflicted nation. The Government of Sierra Leone had also made it clear to interested parties that further delay in the export of the stockpile would definitely result in their disappearance, and that ultimately they would find their way into international markets through clandestine channels.

7. Accordingly, on receiving the first set of printed Certificates of Origin, the Government of Sierra Leone proposed to the Committee that the exemption specified in paragraph 5 of resolution 1306 (2000), take effect on 12 October 2000.

8. On 23 October 2000, the Government of Sierra Leone exported the first parcels of diamonds under the new Certificate of Origin regime.

9. The Government of Sierra Leone informed the World Diamond Council on 4 October 2000, of its decision to appoint selected diamond companies from within five diamond trading centres in Belgium, India, Israel, South Africa and the United States, as Government Export Agents. The attention of the World Diamond Council was drawn to the provisions of resolution 1306 (2000). The Government also emphasized that all importers of Sierra Leone diamonds should produce a certificate of origin authorized by the Government of Sierra Leone with the parcels in a tamper-free package. It further emphasized that any signs of tampering would violate resolution 1306(2000). A hard copy of the main security features of the Certification of Origin was also forwarded to the World Diamond Council for the information of the importing authorities in the five selected countries. As a follow-up, the Permanent Mission of Sierra Leone to the United Nations informed the Permanent Missions of the five countries concerned about the appointment of Government Export Agents in their respective countries.

10. It was the view of the Committee that in order to facilitate compliance by States with the relevant provisions of resolution 1306 (2000), it was essential that samples of the certificates and other related appropriate materials be disseminated to all Member States of the United Nations.

11. In response to that suggestion the Government of Sierra Leone has compiled the appropriate materials with annexes, for the information of Member States of the Organization.

II. SUMMARY DESCRIPTION OF THE NEW REGIME FOR THE EXPORT OF DIAMONDS FROM SIERRA LEONE

12. The new regime for exporting rough and uncut diamonds controlled by the Government of Sierra Leone through a Certification of Origin system consists of seven component parts, described as follows:

(a) New export documentation and related procedures, including,

- **Certificate of Origin** (numbered new document on forgery-proof security paper) as illustrated in Annex I.

- **Import Confirmation Certificate** (numbered document on forgery-proof security paper, matching the Certificate of Origin, to be detached from the Certificate of Origin by the importing authority at destination, and returned to the exporting authority).

- **Numbered label**, matching the Certificate of Origin, to be placed on the sealed parcel, with a legend warning that unauthorized opening in transit constitutes a violation of UN Security Council resolution 1306 (2000).

- **Revised "Schedule B" Valuation Form**, with detail of export duties, as illustrated in Annex II

- **A Commercial Invoice**, with the information and in a format approved by the Bank of Sierra Leone, conforming to standard international trade practices, shall accompany all Certificates of Origin and "Schedule B".

(b) New electronic database of exports with electronic confirmation at destination. The electronic recording and confirmation system is being used simultaneously and in parallel to the manual system with hard copies.

- The Diamond High Council (HRD) of Belgium designed, specified and procured for the Government of Sierra Leone, the necessary hardware and software, and has offered training of personnel in Sierra Leone and Belgium to operate the system.

- The HRD will fully facilitate these systems for their adoption by and operations in importing countries, but at the expense of the importing countries, in order to maintain a unified, worldwide system of electronic recording of exports and imports of rough diamonds.

- The new system is being operated by governmental authorities of the exporting and importing countries, with due protection of commercial information, following normal international trade practices. Non-commercial, statistical data will be provided to the proposed monitoring mechanisms of the International Diamond Manufacturers Association (IDMA) or their delegated body.

(c) New digital photographs and a new procedure to accompany documentation with a digital photograph of the rough diamonds, as presented for valuation to the Sierra Leone Government Gold and Diamond Office (GGDO). The digital photograph is sent electronically together with the electronic transmission of the information contained in the Certificate of Origin for the respective shipment. The digital photograph is another tool for describing the goods being exported. However, it does not replace the description of the goods under "Schedule B", but intended as an additional aid to ensure that the goods seen and valued at origin are the same goods seen and valued at destination.

(d) Strict adherence to procedures for handling parcels once they are sealed at origin, until they are opened at destination. The seals on the parcels shall not be broken or tampered with in transit. Importing authorities should seize any parcel whose packing or documentation exhibits damage or signs of tampering. Transportation carriers will be deemed in violation of UN Security Council resolution 1306 (2000) if they transport goods whose packing or documentation is damaged or exhibit signs of tampering. Any damage to packing should be reported immediately to exporting and importing authorities.

(e) Revised system of licensing exporters and their respective buying agents. A limited number of exporters will be authorized by the Ministry of Mineral Resources, with more rigorous requirements, including membership in one of the recognized diamond bourses or the International Diamond Manufacturers Association, and the obligation to

adhere to new banking regulations regarding deposit of receipts from exports into accounts of accredited commercial banks.

(f) Revised fiscal policy and revised system for banking and assessing foreign exchange to ensure free convertibility and efficient and secure transactions by internationally recognized banks duly accredited by the Bank of Sierra Leone, as described in the "Guidelines on the Mining and Marketing of Diamonds in Sierra Leone". The details of the foreign exchange, banking and fiscal policy is being developed and adopted by the relevant authorities.

(g) Proposed programme to monitor mining and sales of diamonds before exporting, to ensure that no "conflict diamonds" are exported through legitimate Government of Sierra Leone channels. The Commission for the Management of Strategic Resources, National Reconstruction and Development (CMRRD), will supervise the monitoring programme as described in the "Guidelines on the Mining and Marketing of Diamonds in Sierra Leone". These guidelines were published in draft form by the Government of Sierra Leone to obtain input from the public before their adoption as official policy. The Commission will establish a system to monitor mining, sales and exports of diamonds, with the participation of diamond-producing communities, civil and traditional groups, and human rights organizations in Sierra Leone.

III. COMPLIANCE WITH SECURITY COUNCIL RESOLUTION 1306 (2000)

13. The Government of Sierra Leone believes that the adoption of the new Certificate of Origin documentation and procedures, together with the electronic and manual systems of export/import confirmation and digital photographs, constitute faithful implementation of resolution 1306 (2000).

14. Implementation of the additional measures proposed in sub-paragraphs (e) through (g) above, will be incremental, and does not constitute obligatory compliance with resolution 1306 (2000). However, the Government considers them as important components of an effective, integrated and comprehensive system to be implemented in the spirit of the resolution.

15. The systems described in these information materials are not perfect. They represent a major improvement of previous national control mechanisms under which diamonds were exported. The Government has put the new certification regime into effect on a trial basis for a period of 90 days. They will be evaluated and revised as necessary, with the assistance of the Diamond High Council (HRD) and the Governments

named above. The Government of Sierra Leone will notify the Committee on the status of the new systems, in time for the second review envisaged under paragraph 13 of resolution 1306 (2000).

IV. PROCEDURES FOR THE ISSUANCE OF DIAMOND EXPORT LICENCES BY THE GOVERNMENT OF SIERRA LEONE

16. The following procedures have been instituted for the issuance of diamond export:

A. Application

(i) Application for the granting of a diamond exporter's licence is submitted by the applicant to the Director of Mines in the prescribed application form (Annex III)

(ii) Applicant should be an internationally reputable company that meets the following requirements:

(a) an active member of one of the diamond bourses associated with the World Federation of Diamond Bourses (WFDB) or the International Diamond Manufacturers Association (IDMA), and demonstrating credentials and current standing.

(b) statement of capital to be invested, and all transactions including sales, be channeled through a bank account in Sierra Leone or a reputable merchant bank recognized by the Bank of Sierra Leone.

(iii) Applicant should provide a profile of its activities, including outlets.

(iv) Company should have a Sierra Leonean participation.

B. Disposal (Processing of Application)

(i) All applications submitted will be scrutinized as to the authenticity and veracity of the information provided

(ii) The Director of Mines will recommend the approval of an applicant to the Ministry of Mineral Resources

(iii) The Minister of Mineral Resources will approve an application within a period of one month from the date of receipt of the application.

(iv) Applicants who have been approved are required to deposit a cautionary fee or Bank guarantee of US$50,000 (Fifty thousand dollars) at the Bank of Sierra Leone. This amount is refundable at the expiry of the exporter's business.

C. Licence

(i) The exporter's licence is issued by the Minister of Mineral Resources on the payment of a prescribed fee in US dollars.

(ii) The exporter's licence is issued for one year and expires on the anniversary date of issue.

D. Export Fees and taxes

Export taxes will be paid at the rate three (3) per cent of the value of diamonds exported, computed and payable in US dollars. The exporter, in a separate certification fee, will pay the cost of the Certificate of Origin and related documentation.

E. Buying Agents

(i) Buying agents should provide proof that they are complying with procedures established by the Commission for the Management of Strategic Resources, National Reconstruction and Development (CMRRD), to ensure that no transactions are conducted with any persons or groups associated with armed insurgents, rebel forces, or any other movement using violence against civilians or State. Until such time as the CMRRD is fully operational, buying agents shall provide such proof to the Ministry of Mineral Resources.

(ii) Each exporter will be allowed to employ buying agents approved by the Director of Mines and issued with The prescribed buying agents certificates.

F. Purchase of diamonds

(i) Exporters will be allowed to purchase diamonds in US dollars, and to open foreign currency accounts in accredited commercial banks in Sierra Leone to finance their operations. Exporters will be required to show evidence of importation of all foreign currency inflows and outflows.

(ii) Each exporter will be required to keep a record of all diamond transactions, purchases and exports, and issue a numbered invoice or receipt for each transaction.

G. Monthly Statements

Monthly statements of all transactions shall be submitted to the Bank of Sierra Leone with copies to the Director of Mines not later than the 10th day of the succeeding month.

H. Training of Sierra Leonean nationals

Each exporter will be required to employ and to train at least one Sierra Leonean as a Valuer, to the satisfaction of the Government Gold and Diamond Office (GGDO).

V. PROCEDURES FOR THE VALUATION OF DIAMONDS BY THE GOVERNMENT GOLD AND DIAMOND OFFICE (GGDO)

17. The Government of Sierra Leone has established the following procedures for the valuation of diamonds:

i. Every licensed diamond exporter shall give at least 24 hours notice to the GGDO Valuer and the Director of Mines prior to the presentation of goods for valuation at the office of the Government Valuer located at the Bank of Sierra Leone.

ii. The GGDO Valuer may refuse to carry out valuation of diamonds if a licensed exporter has not made an appointment within the stipulated time.

iii. Only diamonds won or purchased under the artisanal or small-scale mining schemes should be presented to the GGDO Valuer at the Bank of Sierra Leone.

iv. A diamond parcel for export shall be presented by the exporter with details of contents as prescribed in "Schedule B". Six (6) copies of "Schedule B" shall be completed for every shipment.

v. The portion of "Schedule B" to be completed by the exporter shall be properly filled in with the exporter's own valuation.

vi. The Government Valuer shall sieve and sort the diamonds according to the various categories as enumerated in the GGDO classification schedule.

vii. After classification of the parcel into various categories and sizes, the Valuer will then put a value on each category according to its quality and weight, using Rapaport or DTC price lists.

viii. The Government Valuer then completes his own section of the "Schedule B" next to the exporter's.

ix. The higher of the two computed values on the Schedule "B" form shall be used to calculate the three (3%) percent payable to the Government by the exporter.

x. Valuation shall be done in the presence of the licensed exporter or his accredited agent, a Mines Monitoring Officer (MMO), and a Custom Officer.

xi. Every endeavour shall be made to complete the valuation of diamond parcel(s) on the same day of their presentation to the valuation office.

xii. After valuation, the various categories of diamonds shall be put into packets as directed by the exporter.

xiii. The various packets are then placed in a box.

xiv. The box is then wrapped with plain brown paper.

xv. The wrapped box is then secured with a cotton tape lengthwise and breadth-wise.

xvi. On the junctions where the tapes cross, four (4) waxed seals of the Valuer, the MMO and the Customs Officer, are placed.

xvii. A certificate of origin is then prepared, showing details of the valuation of the shipment. The security strip is detached from the certificate of origin and wrapped around the package.

xviii. The completed certificate of origin signed by at least three (including the Minister of Mineral Resources) or of four signatories approved by the Government and the sealed box are then placed into a transparent plastic polythene bag and then sealed.

xix. The sealed parcel shall show all the following information on one side of the brown wrapping paper:

(a) weight of parcel in pounds (lbs) and ounces (ozs.) or kilogram and grams

(b) dimensions of the diamond parcel in inches or cm

(c) the shipment number

(d) the total number of packages inside the box

(e) the Government Valuer's stamp and signature

xx. A custom declaration from is completed by the Customs Officer present at the valuation, and placed in an envelope, which is then sealed and addressed to the senior Customs Officer at the airport.

xxi. The sealed package and the sealed envelope are handed over to the exporter or his accredited agent.

xxii. At the airport the sealed envelope containing the customs declaration from is opened by the Senior Customs Officer.

xxiii. The information contained therein is used to confirm the specifications of the sealed package and certificate of origin.

xxiv. The Import Confirmation Certificate (ICC) which is a detachable portion of the certificate of origin, is returned by the importer on receipt and revaluation of shipment, to the GGDO in Freetiwon.

xxv. Failure to return the ICC shall constitute a breach of the prohibition measures contained in Security Council resolution 1306(2000).

Annex I

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NOT TO BE OPENED FOR INSPECTION EXCEPT BY IMPORTING AUTHORITY AT DESTINATION
(Unauthorized opening constitutes a violation of the Sanctions imposed by the UN Security Council Res. 1306)
NE PEUT ETRE OUVERT QUE PAR LES AUTORITES D'IMPORTATION A LA DESTINATION
(Toute ouverture non-autorisée est constitutive d'une infraction du régime de Sanctions imposé par le Conseil de Sécurité des Nations Unies - Res. 1306)

DRAFT

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THE SIERRA LEONE GOVERNMENT
MINISTRY OF MINERAL RESOURCES
GOVERNMENT GOLD AND DIAMOND OFFICE

Product: ROUGH (UNCUT DIAMONDS)
Produit: DIAMANT BRUT

CERTIFICATE OF ORIGIN

Name and Address of Consignee ..... PARCEL CODE .....

.....

This is to Certify that Parcel No. ..... exported by ..... holder of Exporters Licence No. ..... containing ROUGH (UNCUT) DIAMONDS as specified in Schedule 'B' No. ..... attached to this Certificate was valued by the Government Diamond Valuer on .....

UNDER THE AUTHORITY OF THE GOVERNMENT OF THE REPUBLIC OF SIERRA LEONE

	CARAT	VALUE (US$)
GEM		
INDUSTRIAL		
TOTAL		

Dated this ..... Day of ..... 2.....

Issued in FREETOWN, Republic of Sierra Leone.

CUSTOMS OFFICER ..... MINISTER OF MINERAL RESOURCES ..... GOVERNMENT VALUER

000000

IMPORT CONFIRMATION CERTIFICATE
CERTIFICAT DE CONFIRMATION D'IMPORTATION

This is to certify that the hereby certified product was imported into

and that the import has been checked and verified in compliance with all rules and regulations concerned and in strict observance of UNSC Res. 1306 on (date)

For the Importing Authorities,

DRAFT

Customs Seal

Other Authority (specify)

Reverse side of Certificate of Origin

CLASSIFICATION	QUANTITY	WEIGHT IN CARAT	PRICE PER CARAT	TOTAL PRICE	TO BE COMPLETED BY THE GOVERNMENT DIAMOND OFFICE: PRICE PER CARAT	TO BE COMPLETED BY THE GOVERNMENT DIAMOND OFFICE: EXPORT VALUE
A. **INDUSTRIAL**) 1. Industrial) 2. Near Gem) may be mixed						
INDUSTRIAL TOTAL						
B. GEM 1. Smalls – 7 2. – 13.7 Melees, Chips, Maccles. (may be mixed) 3. 5-8 grainers. 1.40c to 2.79c. stones cleavage, maccles (may be mixed) 4. 3-14 carats. 2.80c to 14.79c 5. 14.8 carats and over.						
GEM TOTAL						
GRAND TOTAL						

Description & Valuation of Confirmed Imported Goods
CARAT VALUE (US$)
As per documentation VALUE (US$)
As per Independent valuation*
GEM INDUSTRIAL TOTAL
* Only to be mentioned if valuation at import is

Annex II

3% EXPORT DUTY US$ .....

MINES DIVISION MINISTRY OF MINES
SCHEDULE "B"

RATE US$=Le .....

GOVERNMENT DIAMOND VALUATION OFFICE DIAMOND VALUATION FORM.

To be completed by Exporter:

1. Name of Exporter :
2. Address of Exporter in Sierra Leone
3. Exporter's Licence No:
4. Date of Expiry

PARCEL NO.....
C.O.D
5. Name and Address of consignee

6 Approximate date of Export .....

	TO BE COMPLETED BY THE EXPORTER				TO BE COMPLETED BY THE GOVERNMENT DIAMOND OFFICE	
CLASSIFICATION	**QUANTITY**	**WEIGHT IN CARAT**	**PRICE PER CARAT**	**TOTAL PRICE**	**PRICE PER CARAT**	**EXPORT VALUE**
A. INDUSTRIAL) 1. Industrial) 2. Near Gem) may be mixed						
INDUSTRIAL TOTAL						
B. GEM 1. Smalls - 7 - 2. -13 .7 Melees. Chips. Maccles (may be mixed) 3. 5-8 grainers. 1.40c to 2.79c. stones cleavage maccles.(may be mixed) 4. 3-14 carats 2.80c to 14.79c. 5. 14.8 carats and over						
GEM TOTAL						
GRAND TOTAL						

DECLARATION.

I/WE hereby declare and confirm that the prices of the above listed precious stones are my/our valuation, correct to the best of my/our knowledge for which I/we are fully responsible. It is understood that Export Duty of 3% will be based on the approved Government Diamond Office valuation of the goods.

DATE.....

SIGNATURE OF EXPORTER

DECLARATION.

I ..... Government Diamond Office Valuator hereby declared that this parcel No..... contains ..... carats of diamonds valued at Le ..... and that Export Duty of 3% amounting to the sum of Le ..... has been paid by the exporter. The weight of the parcel ..... and the Dimensions are .....

DATE

Signature of Government M I A

Signature of valuator and stamp

S/2000/1151

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Annex III

MINES AND MINERALS ACT
ARTISANAL/SMALL-SCALE MINING LICENCES
APPLICATION FOR PRECIOUS MINERALS EXPORTER'S LICENCE

Application No. .....

1. Full Name of Applicant .....

2. Nationality of Applicant .....Position in Company.....

3. Name of Company.....

4. Occupation of Applicant in (a) Sierra Leone .....
(b) Overseas .....

5. Business Address in Sierra Leone

.....

6. Business Address Overseas

.....

7. Application submitted for following Precious Mineral(s)

.....

8. Passport Information (where applicable)

(a) Passport Number and Nationality.....

(b) Date and Place of Issue .....

(c) Expiry Date .....

9. Supporting Evidence of Available Capital (Bank Statement/Guarantee) and Professional Experience (attach)

10. Corporate bodies - Photocopies of Certificate of incorporation, Business registration and M & A are to be attached.

11. Total purchases and values, total sales and values, over past four years, where applicable (attach)

12. References: (From foreign new applicants) Letters of recommendation from Diplomatic Mission / Home Government

I hereby declare that the statements made by me in this document and attachments are, to the best of my knowledge, correct

Date .....

.....
Signature of Applicant

United Nations S/2000/1152

Security Council

Distr.: General
4 December 2000
English
Original: French

Letter dated 4 December 2000 from the Permanent Representative of Tunisia to the United Nations addressed to the President of the Security Council

With reference to the letter sent to you today by the Permanent Observer of Palestine to the United Nations, I should like in turn to call upon the members of the Security Council to pay particular and benevolent attention to the request by Iraq for the allocation of a portion of the revenues resulting under the memorandum of understanding concluded between Iraq and the United Nations on 20 May 1996 as humanitarian assistance for the Palestinian people during the difficult phase that it is currently undergoing.

I should be grateful if you would have the text of this letter issued as a document of the Security Council.

(*Signed*) Saïd **Ben Mustapha**
Ambassador
Permanent Representative

00-78016 (E) 041200 041200

United Nations S/2000/1153

Security Council

Distr.: General
4 December 2000

Original: English

Letter dated 4 December 2000 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to resolution 1304 (2000) of 16 June 2000, in paragraph 14 of which the Security Council expressed the view that the Governments of Uganda and Rwanda should make reparations for the loss of life and the property damage they had inflicted on the civilian population in Kisangani, Democratic Republic of the Congo, and requested me to submit an assessment of the damage.

Accordingly, as I noted in my fourth report to the Council on the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) (S/2000/888, para. 20), I sent a mission to the Democratic Republic of the Congo from 13 to 23 August to assess the loss of life and property damage inflicted on Kisangani as a result of the fighting between Uganda and Rwanda in June 2000.

The mission was led by Omar Bakhet of the United Nations Development Programme (UNDP) and comprised staff from UNDP, the Office for the Coordination of Humanitarian Affairs and the Department of Peacekeeping Operations, and was accompanied to Kisangani by officials of the International Labour Organization and MONUC.

The report, which is contained in the annex to this letter, describes the findings of the team concerning the events in Kisangani, including the fighting which broke out between Ugandan and Rwandan troops in June 2000 and its effects on the population and the infrastructure of the city. It also describes the immediate reaction of the international community, including the humanitarian agencies.

According to the report, over 760 civilians were killed and an estimated 1,700 wounded. More than 4,000 houses were partially damaged, destroyed or made uninhabitable. Sixty-nine schools were shelled, and other public buildings were badly damaged. Medical facilities and the cathedral were also damaged during the shelling, and 65,000 residents were forced to flee the fighting and seek refuge in nearby forests.

The report contains a number of recommendations, primarily relating to the need for additional humanitarian assistance and rehabilitation. I have recommended the implementation to the agencies concerned accordingly.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Kofi A. **Annan**

00-78063 (E) 061200

Annex

Report of the inter-agency assessment mission to Kisangani

(Pursuant to Security Council resolution 1304 (2000), paragraph 14)

I. Introduction

1. Pursuant to Security Council resolution 1304 (2000), paragraph 14, the Secretary-General dispatched a multi-disciplinary inter-agency team to assess the loss of life and the property damage inflicted on the civilian population in Kisangani, Democratic Republic of the Congo, during the fighting between Ugandan and Rwandan troops which took place from 5 to 11 June 2000. The issue of the reparations for the loss of life and property damage to be made by the Governments of Rwanda and Uganda stated in paragraph 14 of the resolution was outside the terms of reference of this mission. The mission was carried out from 13 to 24 August 2000. The terms of reference for the mission are set out in the appendix.

2. Mission members were selected following consultation with the concerned departments and agencies and were as follows: Omar Bakhet, United Nations Development Programme (UNDP) (mission leader); Joe Comerford, UNDP; Jamie McGoldrick, Office for the Coordination of Humanitarian Affairs; Frank Sutmuller, consultant; Simon Yazgi, Department of Peacekeeping Operations. The mission was accompanied to Kisangani by Lambert Gbossa, International Labour Organization (ILO) and Alan Lindquist, United Nations Organization Mission in the Democratic Republic of the Congo (MONUC).

3. The Kisangani evaluation mission formed two teams from Geneva and New York, leaving on 13 and 15 August, respectively, Mr. Comerford and Mr. Sutmuller having travelled from Geneva.

4. The two teams were due to meet in Kisangani on 19 August 2000, but this did not happen owing to the death of Joe Comerford (of the advance team) in Kisangani. The work of the advance team, to assess structural damage, was halted and the remaining team member was evacuated.

5. Difficulties with flight clearances also delayed the New York team's arrival in Kisangani until 22 August. The current system for flight clearance involves submitting requests at least 48 hours in advance through the Commissaire général, Chargé des affaires de la MONUC. Humanitarian and MONUC flights returning to Kinshasa from rebel-held areas have up until now been required by the Government of the Democratic Republic of the Congo to transit via another country, thus increasing costs and delays.

6. The mission reorganized its plans and continued with its investigations. An assessment of structural damage was carried out but it requires expert follow-up to complete the financial costings. The information gathered and assessments made from those investigations have allowed the mission to conclude its preliminary analysis and recommendations.

7. During its visit the mission met with the Minister of Health of the Democratic Republic of the Congo; the Commissaire général, Chargé des affaires de la MONUC; Ambassador Kamel Morjane, Special Representative of the Secretary-General; Bouri Sanhouidi, United Nations Resident Coordinator; MONUC; heads and members of all United Nations organizations and bodies active in the country (Office for the Coordination of Humanitarian Affairs, UNDP, Office of the United Nations High Commissioner for Refugees (UNHCR), United Nations Children's Fund (UNICEF), World Food Programme (WFP), World Health Organization (WHO), ILO, Food and Agriculture Organization of the United Nations (FAO)) and more specifically in Kisangani (Office for the Coordination of Humanitarian Affairs, FAO, UNICEF, MONUC, WHO, WFP); local administrations; international and local non-governmental organizations; civil society members; and representatives of the foreign diplomatic corps in Kinshasa.

8. Access to government sources was affected by two major events that coincided with the mission's visit to Kinshasa: the funeral of a Vice Minister of Finance and the opening of the Constituent Assembly in Lubumbashi meant that many of the Ministers with whom the mission had expected to meet were unavailable.

9. In the week before the full team's arrival United Nations agencies, MONUC, local administration and

international and local non-governmental organizations undertook a considerable amount of preparatory work that contributed to the investigations of the mission. The preparation allowed the mission to focus its work once in the city and make optimal use of the time on the ground. As a result, and despite the constraints, the mission was able to form what it believes is an accurate description of the situation in Kisangani.

10. The mission wishes to express its gratitude to the Special Representative of the Secretary-General, Kamel Morjane; MONUC staff both in Kinshasa and Kisangani; the Resident Coordinator, Bouri Sanhouidi, and the United Nations country team; Congolese officials; non-governmental organizations; and diplomats who met with the mission, and in particular to the Office for the Coordination of Humanitarian Affairs, whose in-country facilitation and expertise was invaluable.

II. Summary

11. The Democratic Republic of the Congo is in the throes of a deepening crisis that has, so far, eluded all political and military attempts to solve it. Decades of political and economic mismanagement have resulted in widespread poverty, poor infrastructure and weak and ineffective governmental institutions. The paradox is that these negative development trends are occurring in a country that has immense natural resources. This situation is exacerbated by the direct consequences of a pernicious conflict that has been widely described as "Africa's First World War".

12. As a consequence the country's economy is marked by high unemployment, shrinking production, rampant inflation and monetary instability. The escalating public finance deficit is currently being met by increasing the already heavy foreign debt. Schools and hospitals lack resources and staff, civil servants' salaries have not been paid for many years, and support for basic welfare services is being provided mainly by international aid agencies and hundreds of indigenous humanitarian and church organizations.

13. The recent war in the Democratic Republic of the Congo has involved seven neighbouring countries, intensifying the country's already critical socio-economic and political situation. According to the United Nations mid-term review issued in August, this situation has resulted in a major humanitarian crisis currently affecting over 20 million people, including 1.8 million internally displaced people and over 400,000 refugees. Observers suggest the current situation in the country may have serious repercussions on the stability of the entire central African region.

14. The city of Kisangani is one of the worst casualties of the most complex war in Africa. As in the rest of the Democratic Republic of the Congo, life expectancy is low and infant mortality rates are high. Access to basic health and welfare services is markedly less than the regional average. Infrastructure is crumbling and much of the country is cut off because of a lack of transport. Preliminary results from recent household surveys in urban areas commissioned by the United Nations indicate poverty and vulnerability to be commonplace.

15. On 5 June, persisting tensions in Kisangani between the occupying forces of Uganda and Rwanda erupted into open and violent conflict, with fighting spreading into residential areas and indiscriminate shelling occurring for 6 days. It was the third and by far the most brutal clash between the two armies battling to control the city, for reasons their leaders could never adequately explain. This has led some observers to suspect that an underlying cause was control of the lucrative diamond industry.

16. Over 760 civilians were killed, and an estimated 1,700 wounded. More than 4,000 houses were partially damaged, destroyed or made uninhabitable. Sixty-nine schools were shelled, and other public buildings were badly damaged. Medical facilities and the cathedral were also damaged during the shelling, and 65,000 residents were forced to flee the fighting and seek refuge in nearby forests.

17. The conflict has intensified the pressure on an already fragile and neglected infrastructure, increasing the hardship faced by the population of Kisangani. The city's electrical supply is tenuous, relying on only one functioning turbine. The water supply is vulnerable as it is dependent on an unreliable electricity supply system. The health centres, already under-equipped and under-funded, have had to cope with the new influx of victims. Transport infrastructure was badly damaged, such as the vital bridge over the Tshopo River that is now in an advanced state of disrepair through over-use by retreating troops and their heavy military trucks and equipment. Landmines were also laid by retreating forces on the bridge and along major routes.

18. Beyond the physical damage, the psychological trauma inflicted on the civilian population by the outbreak of hostilities in Kisangani was immeasurable. Systematic violations of international humanitarian law and indiscriminate attacks on civilians have left residents highly traumatized. Hostilities in June made civilians in Kisangani realize that they were unprotected against such attacks and ill-prepared for the consequences, with very few contingency food items to sustain them through the crisis.

19. The international humanitarian community and its national counterparts mounted an emergency response in the city and surrounding areas. Over 240 tons of relief supplies were airlifted from Kinshasa, Goma and Lubumbashi by the United Nations and international non-governmental organizations. Food and non-food relief items were distributed to the internally displaced persons and affected residents. Congolese medical specialists including surgeons were flown in from the capital to treat the large number of war wounded.

20. While there are some signs that normal life is resuming in the city, large-scale reconstruction of homes and public buildings will be needed before the internally displaced population is confident enough to return to the community. However, it is the uncertain security environment that remains the main obstacle preventing people from resettling into their communities.

21. While humanitarian assistance saves lives and offers grounds for the introduction of confidence-building measures among communities, these interventions are unsustainable. Given the massive logistical and operational costs involved in delivering such assistance by air to locations such as Kisangani and in order to break the cycle of dependency and rebuild self-reliance, rehabilitation support programmes must be implemented.

22. Kisangani offers an opportunity to undertake a series of quick-impact projects to rebuild people's traditional capacities and self-sufficiency in the affected communities. The international donor community must be ready to fund initiatives that stimulate agricultural production and encourage commercial activity through distribution of seeds and tools, food aid programmes supporting public sector staff and their families, and small farmer and microcredit schemes.

23. Such programmes should be targeted so as to meet immediate needs and address the underlying issues of poverty and vulnerability while supporting the peace process.

III. Recommendations

24. Given the precarious security situation in the country, in Kisangani in particular, urgent efforts should be made to strengthen field security in order to provide a safer working environment for all United Nations and international humanitarian workers on the ground, and in line with the recommendations of the recent mission to the Democratic Republic of the Congo of the United Nations Security Coordinator.

25. The search for peace is not dependent on political negotiations alone. The United Nations must continue international dialogue with the current and potential donors on how to support peace-building initiatives within the country.

26. The United Nations must recognize the need for ongoing humanitarian operations in the Democratic Republic of the Congo, and the vital importance of ensuring that humanitarian and rehabilitation activities are complementary, reinforcing common objectives of saving lives, rebuilding livelihoods and promoting peace and reconciliation. To this end the United Nations should draw up a country strategy in collaboration with civil society and the non-governmental organizations, aimed at rehabilitation of the communities and at promoting peace and reconciliation.

27. MONUC should continue to facilitate the delivery of humanitarian assistance and help to create an environment conducive to the provision of rehabilitation support to war-affected communities.

28. The United Nations should field a follow-up technical mission to Kisangani to obtain detailed costs of the actual damage to houses, public buildings and basic infrastructure identified in this report, and to fulfil all the requirements of paragraph 14 of resolution 1304 (2000).

Supplementary recommendations

29. On the basis of work already being carried out by the United Nations country team, an innovative and

less orthodox approach to the use of humanitarian and rehabilitation support should be attempted, recognizing the complexities of the situation in the Democratic Republic of the Congo, to reduce the dependency on external assistance and to help create conditions locally for peace and reconciliation.

30. A working group involving key agencies should be established at United Nations Headquarters in New York to support the work of the country team.

31. The international donor community must increase the level of funding for humanitarian assistance as outlined in the consolidated appeals process. However, in Kisangani and elsewhere in the Democratic Republic of the Congo it is imperative to help rebuild people's traditional capacities and self-sufficiency in the affected communities. Such programmes should aim to wean the population from humanitarian aid and establish a sustainable base for rehabilitation, generated at the local level.

32. This would include using food aid to promote agriculture and support staff and their families working in the education and health sectors. It would involve developing close working relations with civil society and local authorities in the implementation of community-based projects, targeting vulnerable groups such as returning internally displaced persons, single-headed households etc.

33. Rehabilitation programmes should adopt a flexible approach that could be phased in and implemented as programmes combining both sustainable development and peace-building initiatives. Kisangani would be viewed as the pilot phase that could then be replicated in other parts of the country and/or region.

34. Major rehabilitation projects are needed to rebuild houses, improve the power supply, water systems and road and bridge infrastructure. Rehabilitation of Kisangani's electricity supply is a priority which should be addressed as a part of a comprehensive reconstruction and rehabilitation plan.

35. Transport routes in the region need to be reopened to facilitate commercial trade and the economic regeneration of Kisangani and other isolated areas. Reopening navigation on the Congo River should be made a country priority, as should the rehabilitation of the railway from Kisangani to Ubundu. The United Nations should monitor and facilitate trade along newly reopened transport routes.

36. Financial facilities for microcredit and farmer credit schemes should be established in order to allow those affected by the conflict to rebuild their livelihoods in a sustainable manner.

37. As well as the physical damage the mission was informed of significant psychological trauma inflicted on the population of Kisangani by the events before and during the fighting in June. The United Nations must address the psychological dimension of this problem when implementing a reconstruction or rehabilitation programme.

38. International organizations should be encouraged to increase their presence in Kisangani and other locations to improve funding, to support the implementation and as a confidence-building measure for the populations at risk.

IV. The context: an overview of the crisis

39. The current crisis in the Democratic Republic of the Congo, formerly Zaire, has complex political and socio-economic roots. Since 1998 the country has been the scene of a conflict that has involved seven neighbouring countries, threatens to destabilize the whole of central Africa and has exacerbated the already dire socio-economic and political situation in this former Belgian colony. This has resulted in a division of the country into two zones of influence, preventing a return to a normal political life and the reconstruction of infrastructure and civil society.

40. Several attempts have been made to end the war. After numerous meetings an agreement was signed at Lusaka on 10 July 1999. However, the Lusaka Agreement has been subject to many major breaches caused by fighting between both pro-government forces and rebels, and allies within the factions. A number of high-level diplomatic missions have been undertaken to try to maintain momentum for peace, but they have made little headway.

41. The ongoing armed conflict has prevented any efforts at economic stabilization and growth. Although the Democratic Republic of the Congo has huge potential wealth in the form of natural resources (diamond mines, forests, agriculture, energy etc.), the

economic situation has been in decline since the beginning of the 1960s and the country is today ranked 152 out of 174 in the 2000 UNDP Human Development Index.[1]

42. The country's economic environment is marked by shrinking overall production, rampant inflation, monetary instability and a public finance deficit that is met only by exacerbating the already large foreign debt. Purchasing power has fallen and unemployment is endemic. Increasing numbers of the population are finding themselves economically marginalized.

43. At the same time, humanitarian aid flows have fallen from US$ 269.1 million in 1992, when structural adjustment was halted, to $125.6 million in 1998. This represents a spending of just $6.7 and $2.6 per person respectively. Key indicators such as life expectancy, infant mortality rates, nutrition and food security, incidence of disease, literacy rates and access to basic services have all fallen much more slowly than the regional average.[1] Poverty and vulnerability are increasing in a country that has the potential to be one of the world's richest.

44. The humanitarian community faces a series of major obstacles in addressing the needs of the escalating number of vulnerable people requiring assistance. Since the beginning of the year, the United Nations consolidated appeals process mid-term review estimates that the number of war-affected people has risen by around 7 million to 20 million, including 1.8 million internally displaced and 420,000 refugees. Following years of socio-economic degradation, the civil war is creating an increasingly dramatic crisis for vulnerable groups that are virtually cut off from traditional food sources.

45. Access to these vulnerable groups is at best intermittent, owing to the precarious security environment and bureaucratic delays in obtaining travel clearance. The international humanitarian community has access to only 40 per cent of the affected population. Resources are limited and serve less than 600,000 of these people with food assistance, although rudimentary health facilities are thought to be available to over 2 million people. There has been a poor donor response to the 2000 United Nations consolidated appeal, less than 25 per cent having been received to date.

[1] UNDP, *Human Development Report 2000*.

V. Kisangani

46. The city of Kisangani, located in the north-east of the country and at the geographical centre of the African continent, has been the scene of five conflicts in the last four years. The third largest city of the Democratic Republic of the Congo and a commercial centre on the Congo River, Kisangani has effectively been cut off from the rest of the country. Trade with Kinshasa has been interrupted and transport on the river is at present only by small boat and canoe. Commerce is almost exclusively with Goma and Rwanda and by air, as all other transport routes are blocked. Where roads are open they are in such bad condition as to make transport by anything but bicycle nearly impossible. Economically, the city is almost totally isolated.

47. The necessity of airlifting supplies into the city has resulted in a general increase in the price of goods with staples such as beans and rice more than doubling.[2] This, in turn, is coupled to a fall in purchasing power, which is estimated by FAO to be less than half of what it was 10 years ago,[3] making many basic goods too expensive for the average person.

48. Kisangani being a city that relied commercially on links with Kinshasa and river transport, the economic repercussions of this isolation have been enormous. Trading, the city's main economic activity, was paralysed; furthermore the increase in imported goods and difficulties in obtaining raw materials and equipment have meant that many of the city's industries have either shut down or greatly reduced their workforce. Sotexki, a textile factory whose staff has fallen from 2,500 to just 130, is a typical example of this. Widespread unemployment, increased prices and a decrease in purchasing power have all contributed to a general rise in poverty within the city.

49. Civil servants have not been paid for years and, should they be paid, they would find that inflation has eaten into their salaries so severely as to make them almost worthless. It is reported that they are

[2] Action contre la faim USA, "Rapport de Mission exploratoire à Kisangani, Province orientale", April 1999.

[3] Food and Agriculture Organization of the United Nations, "Approvisionnement de Kisangani: Situation et actions à envisager", August 2000.

increasingly turning to corruption as a way to make ends meet, further exacerbating problems.

50. Administrative structures have broken down and taxes remain unpaid, consequently there have been years of under-investment in and neglect of local infrastructure. Typical of this is the electrical supply, which is estimated to be less than a third of total demand. Of the three turbines of the city's hydroelectric power station, two date back to 1955 and have been out of action since 1998. The third will stop functioning within 12 months unless spare parts can be obtained. Without electricity the water pumping station will shut down, leaving over 600,000 people without reliable water supplies.

51. A 1999 nutritional study by Médecins sans frontières Holland estimated that 9.1 per cent of children aged 5 and under were suffering from severe malnutrition. Food security in the city has been a problem for some months mainly because the city has been cut off from the surrounding areas that traditionally supply it. There are increasing reports of cases of preventable diseases such as measles and polio, and health centres are poorly equipped and dependent on church groups and non-governmental organizations for the little funding they receive.

52. The city's schools have also been funded through church groups for some years. The higher education facilities, which include a university, higher education colleges and a medical and law school, are for all intents and purposes closed. A whole generation is at threat of growing up illiterate and/or without formal education.

53. Kisangani's situation has been further exacerbated by the recent conflict in which an estimated 720 civilians were killed and 65,000 displaced by fighting between Rwandan and Ugandan troops.

The conflict of 5-10 June 2000

54. Kisangani has been the theatre of several clashes between rebel and government troops[4] and between erstwhile allies according to some observers. The most recent of these occurred from 5 to 11 June 2000, when the city was the scene of fighting between Ugandan and Rwandan troops which included widespread indiscriminate shelling by both sides.

55. Ugandan and Rwandan forces and their affiliated rebel groups vied for control of the lucrative diamond industry centred in the city, with assets being removed and channelled out of the country, ignoring local Rassemblement congolais pour la démocratie (RCD) authorities. In addition, rivalry intensified as parties tried to gain credibility by being the controlling authority in one of the main provincial MONUC locations. Another factor is the strategic position of Kisangani as an entrepôt at the non-navigable rapids between the small river upstream and the large navigable river downstream. Throughout this period, while forces scrambled for control of the city and its resources, the civilian population were terrorized and threatened through the use of radio hate campaigns that attempted to force people to leave the city.

56. Persisting tension between Ugandan and Rwandan troops degenerated into open and violent clashes for the first time in August 1999, the fighting spreading from garrisons and military camps into residential areas of the city. Another round of clashes was prevented from becoming outright war in mid-May 2000 when members of the Security Council's mission to the Democratic Republic of the Congo and MONUC brokered a ceasefire agreement, including a disengagement plan. However, despite acceptance of the agreement by both the Rwandan Patriotic Army and the Uganda People's Defence Forces and the deployment of additional United Nations military observers, the situation remained highly volatile throughout May, and continued to disrupt economic trade and traditional food supply lines. By the end of the month the humanitarian community negotiated a resumption of air traffic with the belligerents to allow supplies to be flown in, as the city is not accessible by inland transport, thus preventing further deterioration of the population's health and nutritional status.

57. Hostilities once again broke out on 5 June and lasted for six days, killing and wounding numbers of civilians in the indiscriminate bombing by both sides. Losses among the civilian population were high and damage to the city's infrastructure and housing was widespread. Over 760 civilians were killed and an estimated 1,700 wounded. Over 4,000 dwellings were

[4] The taking of the town by the forces of Laurent-Désiré Kabilà upon his rise to power, its capture by RCD and three conflicts between the Ugandan and Rwandan forces — the three-day (August 1999), one-day (May 2000) and six-day (June 2000) wars.

damaged, destroyed or made uninhabitable (see table 1). Sixty-nine schools were partially destroyed or damaged (see table 2), and other public buildings were badly affected. Power stations and the water-supply systems were severely disrupted. The fighting forced some 65,000 residents to flee Kisangani and seek refuge in the nearby forests. Around 3,000 internally displaced people were housed in a camp at Katele.

Table 1
Damage to housing during the war of 5-11 June 2000

	Scale of damage			
Commune	*Destroyed*	*Heavy damage*	*Light damage*	*Total*
Lubunga	34	11	24	69
Kisangani	2	0	0	2
Kabondo	1	0	16	17
Mangobo	30	100	195	325
Makiso	59	642	370	1 071
Tshopo	292	618	1 689	2 599
Total	**418**	**1 371**	**2 294**	**4 083**

Table 2
Damage to schools during the war of 5-11 June 2000

		Scale of damage			
Commune	*Number of students*	*Destroyed*	*Heavy damage*	*Light damage*	*Total*
Lubunga	3 829	0	0	7	7
Kisangani	758	1	1	1	3
Kabondo	4 387	0	3	7	10
Mangobo	5 103	5	4	3	12
Makiso	16 518	2	24	2	28
Tshopo	10 052	1	8	0	9
Total	**40 647**	**9**	**40**	**20**	**69**

Tables prepared from information supplied by United Nations country team and non-governmental organizations.

58. Beyond the physical damage, the psychological trauma inflicted on the civilian population is immeasurable. During the Kisangani hostilities and throughout the war, a hallmark of the crisis has been a blatant disregard for international human rights and humanitarian law. The war has been marked by gross violations of human rights, the civilian populations being offered no protection and intentionally targeted by all sides through widespread atrocities. Ordinary civilians in the city came to realize that they were in a highly vulnerable situation. The latest clash made plain to the people of Kisangani how ill-prepared they were, with very few contingency food stocks and little capacity to sustain them through the crisis, heightening their trauma levels still further.

59. On 5 June, children were in school when fighting broke out. Many were trapped for days inside school buildings, only able to return home to safety during lulls in the shelling. Several school premises were actually used by Ugandan and Rwandan armed forces to launch attacks and as fallback positions. This accounts for the high number of schools damaged during the six-day war. Extensive damage to residential areas caused by the indiscriminate shelling and fighting in residential areas was a clear indication of the blatant disregard by the warring parties for the civilian population.

The humanitarian response

60. The humanitarian response in the aftermath of the Kisangani crisis was an example of good collaboration and coordination by both national and international bodies. Local health personnel with limited means treated the growing number of injured and wounded. National Red Cross Society volunteers were deployed to undertake the first phase of assistance to victims, including first aid, sanitation support, mine and unexploded ordnance awareness campaigns and burials.

61. The International Committee of the Red Cross and Médecins sans frontières provided the necessary medical assistance to the war wounded within hours of the ceasefire on 11 June. On 13 June, the humanitarian community in the Democratic Republic of the Congo mounted a second phase of response, most notably through the Emergency Humanitarian Initiative fund of the United Nations system and the donor community, including the Governments of Belgium, Italy and the United States of America. The United Nations and its non-governmental organization partners, especially Memisa and Catholic Relief Services, organized a major airlift operation between Kinshasa and Kisangani, and between Goma and Kisangani.

62. The United Nations airlift between Kinshasa and Kisangani rapidly brought in stocks (over 120 tons) of emergency supplies, equipment and fuel. Rapid assessments of the internally displaced populations were carried out on all major axes connecting Kisangani with the rest of Orientale Province. Emergency medical assistance and non-food supplies were delivered to internally displaced persons in Kisangani and its environs, and food aid was distributed inside the city. Health centres were reopened and emergency medical services were organized on Kisangani road axes. Comprehensive epidemiological surveillance mechanisms were established for the affected populations. Surgical operations were carried out in the city hospitals of Kisangani with the help of Congolese surgeons brought from Kinshasa.

63. Landmines and unexploded ordnance are still a major impediment to the return of displaced people to their homes and to the resumption of daily life in the city. Mines were laid in strategic military locations to prevent the advance of troops and protect retreating forces. Around 18 mines were placed on the Tshopo bridge, the major link in the city. Reports indicate that some mines were laid after the ceasefire.

Beyond emergency response

64. An inter-agency plan of action was drawn up to systematically address the life-saving requirements of the war-affected population of Kisangani for the first 100 days. This plan included identification of internally displaced persons and other vulnerable groups in need of food assistance, medical attention and psychological support, as well as supplying essential items such as engine oil and parts for the hydroelectrical station and water-supply system.

65. The humanitarian community is currently planning activities that move beyond the emergency phase of the first 100 days. If the Kisangani demilitarization plan takes firm root, it will allow a humanitarian space, 90 km in diameter, to be created in the town and its vicinity for the first time since the two-year war began.

66. Meanwhile the displaced populations who are living along the five main axis roads outside Kisangani remain unconvinced by the demilitarization plan, including the withdrawal of foreign troops, and refuse to return to their homes. However, with the humanitarian agencies working closely with civil society in the transition phase, a more conducive environment should emerge. During the six days of conflict in Kisangani, the civilian population rallied to help those less fortunate by offering food and shelter to those displaced by the fighting. This phase of the war made residents realize the extent to which they were ill-prepared, having no contingency supplies and powerless to prevent being targeted during the fighting. These feelings of vulnerability and humiliation continue to induce fear and panic in the population, despite the demilitarization of the town.

67. Kisangani emerges as an opportunity to strengthen the population's capacity not only to overcome the trauma brought about by a war fought in the city by foreign troops, but also to address the general uncertainty and economic hardship that has been a way of life for over two years. The challenge for the humanitarian community, both international and national, remains the integration of emergency assistance and capacity-enforcing initiatives that promote sustainable peace in a militarily unstable environment.

68. The international community's response to the hostilities in Kisangani helped to further strengthen links with civil society and local administration. These partnership arrangements and support to local initiatives are helping to improve social, welfare and economic conditions for the population. The Church is one of the traditional pillars of Congolese society and in the absence of the State has been involved in supporting 80 per cent of primary schools and providing primary medical care throughout the country. Close partnership must be developed with the international community to develop a wide range of projects to move beyond the current emergency phase.

69. The existence of a strong civil society, including a large number of national non-governmental organizations, is a characteristic feature of the Democratic Republic of the Congo. National non-governmental organizations are present in Kisangani and in even the remotest parts of the country. While the war has curtailed their potential, the indigenous social structures remain a valuable asset for the delivery of humanitarian assistance and for future rehabilitation programmes to develop self-sufficiency and sustainability. During the six-day war in Kisangani, national groups and organizations clearly demonstrated

their ability to take responsibility and mount a credible response, working with international bodies.

70. While much attention has been focused on the tragedy in Kisangani, it is important not to ignore the large-scale suffering of the rest of the population in the east and other parts of the country. The continuing and increased suffering of many people is the result of a combination of factors, including renewed fighting, increasing impoverishment and continuing ethnic hatred. The attempts being made in Kisangani by the international community in collaboration with national non-governmental organizations and civil society can be viewed as a pilot scheme which could be replicated in other parts of the country when access and resource availability improves.

71. Agencies in Kisangani are currently considering shortening the duration of emergency humanitarian assistance by seeking increased funding of rehabilitation and recovery activities without waiting for a durable peace to be in place. This has been prompted in part by logistical constraints. Indeed the cost of flying in humanitarian supplies is prohibitively expensive and impossible to envisage even in the medium term. Sustainable, local solutions must therefore be developed. WFP is currently exploring the possibilities of purchasing food supplies locally, to reduce costs and stimulate the agricultural sector.

72. For the international community working with civil society the emphasis is on the post-crisis context, promoting rehabilitation, expanding basic services to more people, and attempting to tackle the root causes of poverty and exclusion. It is hoped that this will be the foundation for the reconstruction of governance, law and order, social cohesion and participation and rehabilitation of the economy from micro to macro levels.

73. Despite the precarious situation, Kisangani is well placed to test new and imaginative ways to establish a comprehensive transitional approach, to move away from emergency relief by integrating humanitarian and reconstruction programmes at the earliest possible opportunity. A transitional medium-term plan has been drawn up by the international agencies in collaboration with civil society and local authorities. It includes food-for-work programmes to assist the social sector (health centres and schools), substituting temporary relief assistance for school and medical fees.

74. This approach aims to embrace activities directed at alleviating physical suffering (emergency food and medical assistance) and protecting fundamental human rights. It involves not only addressing the immediate crisis but also building local institutional and societal means to minimize future crises, reducing the vulnerability of the civilian population by reducing their dependence on humanitarian assistance, and seeking to build on their capacities for sustainable livelihood.

75. The international community's firm stance in promoting the implementation of the Lusaka Ceasefire Agreement with the assistance of MONUC and through the demilitarization of Kisangani will help to bring an end to the crisis in the Democratic Republic of the Congo. MONUC monitoring of the political and security situation in Kisangani and its environs is essential to determine the limits of operational modalities for agencies.

Appendix

Terms of reference of the Kisangani evaluation mission

1. A meeting of concerned departments and agencies this afternoon has reached provisional agreement on the terms of reference of the Kisangani evaluation mission. These are focused primarily on paragraph 14 of Security Council resolution 1304 (2000), and are as follows. The mission should:

- Proceed to Kisangani to assess the damage there and to evaluate the overall situation, including long-term reconstruction and rehabilitation aspects;
- Make a preliminary assessment of the loss of life and property damage caused in the recent fighting;
- Determine, in close coordination with MONUC, whether the United Nations should assist the population of Kisangani in other areas and, if so, how it should do so;
- Propose measures, in close coordination with MONUC, to follow up the mission's visit;
- Submit a report to the Secretary-General with proposals for recommendations he might make to the Security Council pursuant to resolution 1304 (2000).

2. The mission leader, Omar Bakhet, will now conduct consultations to determine the membership of the team. Participants in the meeting agreed that the expertise of their counterparts in the Democratic Republic of the Congo would be at his disposal.

3. It is envisaged that the mission would visit the Democratic Republic of the Congo on or about 15 August, and would submit its report by the end of August. The mission may also decide to visit Kigali and Kampala.

Department of Peacekeeping Operations
20 July 2000

Map No. 4121 Rev. 3 UNITED NATIONS
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General Assembly
Security Council

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4 December 2000

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General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Fifty-fifth year

Identical letters dated 4 December 2000 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

The Israeli military campaign against the Palestinian people continues unabated. In the early morning hours of today, Israel used helicopter gunships to fire missiles at populated areas in the vicinity of Bethlehem. During the day, the Israeli occupying forces also used heavy machine guns and other kinds of weaponry against civilians in the same area. In the Gaza Strip, Israeli occupying forces and illegal Israeli settlers prevented the movement of persons and goods, even in an area that is supposed to be under full Palestinian control. The Israeli side even went so far as to open a new road in that area to serve one of the illegal settlements in Gaza.

Furthermore, and in follow-up to my previous letters to you, dated from 29 September to 28 November 2000 (A/55/432-S/2000/921; A/55/437-S/2000/930; A/55/450-S/2000/957; A/55/466-S/2000/971; A/55/474-S/2000/984; A/55/490-S/2000/993; A/ES-10/39-S/2000/1015; A/ES-10/40-S/2000/1025; A/ES-10/41-S/2000/1046; A/ES-10/42-S/2000/1068; A/ES-10/43-S/2000/1078; A/ES-10/44-S/2000/1093; A/ES-10/45-S/2000/1104; A/ES-10/46-S/2000/1107; A/ES-10/47-S/2000/1116; A/ES-10/48-S/2000/1129), I regret to inform you that, since my last letter, dated 28 November 2000, and until today, 16 more Palestinians have been killed, which brings the total number of deaths to 266 Palestinians. (The names of the 16 martyrs are annexed.) Scores of Palestinian civilians were also wounded during the same period, many of whom remain in critical condition.

With regard to the urgent issue of providing protection to the Palestinian civilians under the Israeli occupation and the efforts to establish a United Nations monitoring force, we welcome the step taken by the members of the Non-Aligned Movement Caucus who are members of the Security Council to table a draft resolution in this regard. We call upon the Security Council to expedite its consideration of this matter and to take the necessary steps in this regard as soon as possible. The establishment of a United Nations monitoring force will definitely

00-78022 (E) 041200

save lives and make the situation on the ground better, and will thus enhance the potential for peace in the region.

I would be grateful if you would arrange to have the text of the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly and of the Security Council.

(*Signed*) Nasser **Al-Kidwa**
Ambassador
Permanent Observer of Palestine to the United Nations

Annex to the identical letters from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Names of martyrs killed by Israeli security forces in the Occupied Palestinian Territory, including Jerusalem (Tuesday, 28 November to Saturday, 2 December 2000)

Tuesday, 28 November 2000

1. Imad Adeeb Al-Dabah
2. Karam Al-Kurd (13 years old)
3. Ibrahim Abdel Jabbar Kahla

Wednesday, 29 November 2000

1. Mohammed Abdullah Al-Masharawi (14 years old)
2. Ashraf Abdel Karim Al-Basous
3. Musa Musbah Mawafi

Thursday, 30 November 2000

1. Shadi Ahmed Hassan Za'oul (14 years old)
2. Waleed Mohammed Ahmed Al-B'den (17 years old)
3. Ismail Abdel Salam Abu Al-Rous

Friday, 1 December 2000

1. Mohammed Saleh Mohammed Al-Arja (12 years old)
2. Hamza Nadi Al-Hasees
3. Midhat Mohammed Sobih Jadallah (14 years old) (from wounds sustained on 30 November 2000)
4. Yaseen Mohammed Hussein Shehadah

Saturday, 2 December 2000

1. Shehadah Musa Al-Jafary
2. Shadi Nasser Abu Hobeid
3. Naif Abu Dahoud

United Nations S/2000/1155

Security Council

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6 December 2000
English
Original: Arabic

Letter dated 3 December 2000 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 30 November 2000 from Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of Iraq. The Minister calls attention to the ongoing wanton aggression against Iraq by United States and British aircraft in the unlawful no-flight zones and to the fact that in the period from 15 to 25 November 2000 they carried out 314 sorties, 134 of them from Saudi Arabia, 62 from Kuwait and 118 from Turkey.

The Minister reaffirms the Government of Iraq's condemnation of these acts of aggression against Iraqi territory, and he states that international responsibility for them must be borne by the United States of America, the United Kingdom and the countries that provide logistic support for this aggression, namely Saudi Arabia, Kuwait and Turkey. He urges you to perform the duties assigned to you under the Charter by halting this unwarranted aggression and ensuring that it does not recur.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Saeed H. **Hasan**
Ambassador
Permanent Representative

00-78209 (E) 061200 071200

Annex to the letter dated 3 December 2000 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

I should like to inform you that United States and British warplanes based in Saudi Arabia, Kuwait and Turkey have continued to violate the airspace of the Republic of Iraq. They carried out 314 sorties in the period from 15 to 25 November 2000, 134 of them from Saudi Arabia, 62 from Kuwait and 118 from Turkey, as shown hereunder.

1. In the northern region 118 sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 6,000 to 12,000 metres, as follows:

(a) At 1105 hours on 15 November 2000, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 24 missions from Turkish territory, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Dohuk, Amadiyah, Aqrah, Irbil and Ayn Zalah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1300 hours, drove them off.

(b) At 1115 hours on 16 November 2000, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 22 missions from Turkish territory, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Zakho, Dohuk, Amadiyah, Tall Afar East, Baibo, Aqrah, Rawanduz, Ayn Zalah and Irbil areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1445 hours, drove them off.

(c) At 1145 hours on 19 November 2000, United States and British F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 12 missions from Turkish territory, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Dohuk, Amadiyah, Irbil, Shallalat Ba'shiqah and Zakho areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1445 hours, drove them off.

(d) At 1130 hours on 20 November 2000, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 14 missions from Turkish territory, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Aqrah, Irbil, Dokan, Rawanduz, Dohuk, Zakho and Amadiyah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1500 hours, drove them off.

(e) At 1200 hours on 21 November 2000, United States and British F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 18 missions from Turkish territory, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Dohuk, Irbil, Aqrah, Rawanduz and Amadiyah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1500 hours, drove them off.

(f) At 1300 hours on 22 November 2000, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated

Iraq's airspace in the northern region. They carried out 18 missions from Turkish territory, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Dohuk, Amadiyah, Aqrah, Mosul, Tall Afar, Zakho and Baibo areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1505 hours, drove them off.

(g) At 1150 hours on 23 November 2000, United States and British F-14, F-15, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 10 missions from Turkish territory, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Dohuk, Amadiyah, Aqrah and Zakho areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1345 hours, drove them off.

2. In the southern region 196 sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 9,000 to 13,000 metres, as follows:

(a) At 0950 hours on 15 November 2000, United States and British F-14, F-15, F-16, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 26 missions, 18 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and eight from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Nasiriyah, Samawah, Diwaniyah, Salman, Najaf, Hayy, Rahhaliyah and Artawi areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1205 hours, drove them off.

(b) At 1020 hours on 16 November 2000, United States and British F-14, F-15, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 26 missions, 22 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and four from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Salman, Rumaylah South, Nukhayb, Artawi, Busayyah, Ashbajah, Lasaf and Amghar areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1255 hours, drove them off.

(c) At 1040 hours on 17 November 2000, United States and British F-15, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out six missions from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and an E-2C aircraft operating inside Kuwaiti airspace. They overflew the Salman, Ashbajah and Ansab areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1135 hours, drove them off.

(d) At 1320 hours on 21 November 2000, United States and British F-15, F-16, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 26 missions, 16 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 10 from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Basrah, Nasiriyah, Salman, Lasaf, Samawah, Shinafiyah, Ashbajah, Hayy, Qal'at Sukkar, Amarah and Rahhaliyah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1540 hours, drove them off.

(e) At 1050 hours on 22 November 2000, United States and British F-14, F-15, Tornado and EA-6B aircraft coming from Saudi territory penetrated Iraq's airspace in the southern region. They carried out 40 missions, 24 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 16 from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Basrah, Salman, Lasaf, Diwaniyah, Najaf, Amarah, Hayy, Nasiriyah and Ali al-Gharbi areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1420 hours, drove them off.

(f) At 0755 hours on 23 November 2000, United States and British F-14, F-15, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 28 missions, 22 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and six from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Nasiriyah, Samawah, Salman, Najaf, Razzazah, Diwaniyah, Afak, Artawi and Karbala' areas. Our air defences, acting in self-defence, engaged the aircraft and, at 0920 hours, drove them off.

(g) At 1425 hours on 24 November 2000, United States and British F-15, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 16 missions, 12 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and four from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Samawah, Basrah, Najaf, Ukhaydir, Jalibah, Shinafiyah, Nasiriyah, Lasaf and Qal'at Sukkar areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1545 hours, drove them off.

(h) At 1110 hours on 25 November 2000, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 28 missions, 14 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 14 from Kuwaiti territory with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Samawah, Amarah, Basrah, Afak, Hayy, Diwaniyah, Najaf, Ashbajah, Lasaf, Razzazah, Hashimiyah, Nu'maniyah, Qal'at Salih, Jalibah, Shatrah and Nasiriyah areas. Our air defences, acting in self-defence, engaged the aircraft and, at 1345 hours, drove them off.

This aggression illustrates the bellicose attitude being maintained by the United States of America and the United Kingdom towards Iraq. Since 1992, it has become a fixed policy aimed at undermining the country's sovereignty, independence and territorial integrity and at the systematic and concerted destruction of Iraqi lives, infrastructure and civilian installations. It is a policy that has been affirmed in successive statements made by United States and British officials seeking to defend the measures being taken to enforce the no-flight zones.

The Government of Iraq categorically rejects the two so-called no-flight zones, which were imposed by unilateral decision of the United States of America and the United Kingdom and lack any legal basis. Iraq rejects all the consequences of this

illegal decision and, in particular, the flimsy excuses and pretexts used by these States in an attempt to justify their military aggression against our country.

The logistic support provided by Saudi Arabia, Kuwait and Turkey to the Americans and the British makes these countries key partners in the aggression being committed against Iraq, so that they bear full international responsibility under international law. This includes liability for full compensation for the loss and damage, in both human and material terms, that is caused by these illegal practices.

The Government of Iraq further renews its call to the countries participating in this aggression to desist forthwith from internationally prohibited acts that violate Iraq's sovereignty, place its security and integrity in grave danger and pose a direct and serious threat to international peace and security.

As it condemns these acts of aggression against civilian targets and Iraqi civilian installations, the Government of Iraq urges you to perform your assigned duties with respect to the maintenance of international peace and security by intervening with the Governments of the countries in question with a view to inducing them to halt, end and desist from any resumption of their constant and unwarranted aggression against an independent, sovereign State.

(*Signed*) Mohammed Said **Al-Sahaf**
Minister for Foreign Affairs of the Republic of Iraq

United Nations S/2000/1156

Security Council

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Fifth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo

I. Introduction

1. By its resolutions 1291 (2000) of 24 February 2000 and 1316 (2000) of 23 August 2000, the Security Council requested the Secretary-General to report on the progress made in the implementation of the Lusaka Ceasefire Agreement (S/1999/815, annex) and relevant Council resolutions.

2. In his fourth report to the Security Council, dated 21 September 2000 (S/2000/888), the Secretary-General recommended a two-month extension of the mandate of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC). The purpose of the recommendation was to signal the determination of the United Nations to remain committed to the peace process in the Democratic Republic of the Congo while at the same time indicating to all the parties that these months should be used to demonstrate unequivocally their will to move the peace process forward and to create the conditions necessary for the phase II deployment of MONUC.

3. By its resolution 1323 (2000) of 13 October 2000, the Security Council, reaffirming its readiness to assist in the peace process, in particular through MONUC, decided to extend the mandate of MONUC until 15 December 2000.

4. The present report contains a summary of the events that have taken place since the most recent report, an analysis of the extent to which the parties have indeed used the past two months to create the necessary conditions for the deployment of MONUC, and recommendations regarding the future of MONUC beyond 15 December.

II. Political developments

5. Considerable high-level diplomatic activity has taken place since my most recent report, indicating the willingness of subregional leaders to find ways of moving the peace process forward. Of particular note are the meetings convened by President Mbeki and President Chissano at Maputo on 16 October and 27 November 2000 and the related ministerial level meeting at Pretoria on 3 November; the Kinshasa summit meeting, held on 27 October; and the Tripoli summit meeting, held on 7 and 8 November. Meetings have also been held between the leader of the Movement de libération de Congo (MLC), Jean-Pierre Bemba, and the Angolan Foreign Minister, and visits by President Kabila to Luanda, Harare and Windhoek.

6. On 27 September, I wrote to President Kabila outlining the position of the United Nations with regard to the status of the peace process in the Democratic Republic of the Congo. I emphasized that the Lusaka Ceasefire Agreement formed the basis for the relevant Security Council resolutions authorizing the presence and activities of MONUC, and expressed the hope that all parties would engage in translating the spirit of the Agreement into action. I conveyed my concern over the number of ceasefire violations and stressed the need to lift the restrictions hindering the operations of MONUC. I also expressed the hope that the extension of the mandate of MONUC by two months would provide an opportunity to the parties to create the conditions necessary for MONUC phase II deployment and to move the peace process forward.

7. On 9 October, President Nujoma invited President dos Santos, President Kabila and President Mugabe to

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Windhoek to discuss the situation in the Democratic Republic of the Congo. At the conclusion of the discussions, President Nujoma indicated that President Kabila was prepared to allow the deployment of United Nations troops to government-controlled territory without restriction.

8. President Mbeki convened and chaired a mini summit meeting at Maputo on 16 October. The meeting was attended by the heads of State of the Democratic Republic of the Congo, Mozambique, Namibia, Rwanda, Uganda and Zimbabwe. The leaders agreed that all armed forces in the Democratic Republic of the Congo would immediately start disengaging to positions set out in the Kampala disengagement plan of 8 April 2000. Uganda and Rwanda undertook to move further than the 15 kilometres stipulated in the disengagement plan. The other parties agreed that once MONUC had verified this process of further disengagement, they would reciprocate. The summit meeting requested the creation of a committee composed of ministers for defence to study the issues of the Rwandan withdrawal and disarmament of armed groups, and agreed to reconvene for the purpose of reviewing progress.

9. On 26 October, President Kabila received my Special Representative, Kamel Morjane, and confirmed that the Government of the Democratic Republic of the Congo wished to facilitate the deployment of United Nations troops. It was agreed that officials of the Ministry of Defence would accompany MONUC officers to review potential sites for deployment at Mbandaka and Kananga. President Kabila expressed his support for the Kampala disengagement plan and for the decisions taken at the Maputo mini-summit meeting. My Special Representative welcomed the offer of cooperation and drew the President's attention to the list of practical measures necessary to facilitate MONUC phase II deployment provided to the Minister for Foreign Affairs of the Democratic Republic of the Congo on 11 September by the Department of Peacekeeping Operations of the United Nations Secretariat.

10. The Government of the Democratic Republic of the Congo hosted a mini summit meeting of Central African countries at Kinshasa on 27 October. The meeting was attended by President Bongo, President dos Santos, President Kabila, President Sassou-Nguesso, the Prime Minister of the Central African Republic and the Prime Minister of Equatorial Guinea. In a communiqué, the participants called for a stronger commitment by the United Nations and the Organization of African Unity (OAU) to resolve the crisis in the Democratic Republic of the Congo and praised the initiative taken at the Maputo summit meeting for direct talks between the Democratic Republic of the Congo and Rwanda and Uganda. Although it contained an endorsement of the Lusaka Ceasefire Agreement as an important basis for peace in the Democratic Republic of the Congo, the communiqué called for its revision and proposed the deployment of neutral interposition troops along the common border of the Democratic Republic of the Congo with Rwanda, Uganda and Burundi. An ad hoc ministerial committee under the chairmanship of President Bongo was established to follow up the decisions of the summit meeting.

11. My Special Representative travelled to Togo on 7 November for a meeting with President Eyadema, the current Chairman of OAU. Their discussions focused principally on the difficulties encountered by the Joint Military Commission (JMC) and the process of the inter-Congolese dialogue. The Chairman of OAU acknowledged the need for better coordination of the various diplomatic initiatives aimed at reviving the peace process and disclosed that approaches had been made to him by the Congolese parties. He was exploring ways of helping to establish contacts and dialogue between President Kabila and the rebel movements.

12. On 7 November, I met with Ambassadors of the Southern African Development Community (SADC), who expressed disappointment at the lack of progress in the peace process and their concern this would result in the termination of MONUC. They considered the consequences for the African continent to be ominous, should the mission be withdrawn. While acknowledging that the parties needed to recommit themselves to implementation of the Lusaka Agreement, the Ambassadors considered that I should become more directly involved in the peace efforts and suggested a visit to the region. In response to my question as to whether it was advisable to insist on a revision of the Agreement, the representative of the Democratic Republic of the Congo stated that an improvement or adjustment was desired, not necessarily renegotiation.

13. The SADC ambassadors also met with the President of the Security Council to convey their

conviction that the Council should remain involved in the search for a resolution of the conflict. They considered the Council to be over-cautious in expecting standards not demanded in other areas. In addition, they requested the Council to implement all of its relevant resolutions, in particular resolutions 1234 (1999) of 9 April 1999 and 1304 (2000) of 16 June 2000.

14. A third peace initiative was launched on 8 November by President Muammar Qaddafi, who hosted a mini summit meeting at Tripoli to address the situation in the Great Lakes region and the Democratic Republic of the Congo in particular. The meeting was attended by President Kagame, President Konare, President Mugabe and President Museveni, and representatives of Angola, the Democratic Republic of the Congo, Namibia and South Africa. The summit meeting agreed on the immediate deployment of a neutral African force to guarantee the security of the borders of Rwanda and Uganda, and that the force should assess the magnitude of armed groups in the Democratic Republic of the Congo with the objective of disarming, disbanding and resettling them. In a letter dated 9 November addressed to me, President Qaddafi suggested that Nigeria, Egypt, South Africa and the Libyan Arab Jamahiriya should participate in the neutral force and proposed that the United Nations should undertake the leadership, funding and supervision of those forces.

15. On 27 November, the heads of State of South Africa, the Democratic Republic of the Congo, Uganda, Rwanda, Zimbabwe and Mozambique, and representatives of Namibia and Angola met at Maputo to discuss the situation in the Democratic Republic of the Congo. My Special Representative and Force Commander General Mountaga Diallo also attended. The participants agreed to reaffirm the Kampala disengagement plan of 8 April, confirmed the role of MONUC in monitoring the disengagement of forces, and confirmed that the Government of the Democratic Republic of the Congo was responsible for the timely resolution of the remaining difficulties hindering the deployment of MONUC. The Government of the Democratic Republic of the Congo confirmed that MONUC flights need not be routed through Kinshasa and agreed in principle to the deployment of armed United Nations troops at Kinshasa airport. No agreement was reached on the disarmament and demobilization of armed groups and the withdrawal of foreign forces from the territory of the Democratic Republic of the Congo.

16. At its meeting on 29 November, the Political Committee established under the Lusaka Agreement endorsed the disengagement plan and scheduled a meeting of the military chiefs of staff of the parties for 5 December to approve the documentation relating to the subplans. The Force Commander attended the meeting.

Congolese rebel movements

17. The rebel movements were not invited to any of the summit meetings mentioned above. Following the Maputo summit meeting on 16 October, the head of MLC, Jean-Pierre Bemba, is reported to have observed that since he had not been invited to the meeting he had nothing to do with the agreements reached therein. It was also reported that, following the same summit meeting, the reaction of the then head of the Rassemblement congolais pour la démocratie (RCD), Emile Ilunga, was one of suspicion of President Kabila's intentions.

18. In a meeting with my Special Representative, Mr. Bemba expressed his view that the only viable solution to the conflict in the Democratic Republic of the Congo lay in the application of the Lusaka Ceasefire Agreement. He underlined his desire for a political solution to be found to the crisis and gave his assurance that MLC would accept any decision arrived at democratically. The leaders of RCD also emphasized to my Special Representative that they respected the Lusaka Agreement and remained committed to the Kampala disengagement plan.

19. On 28 October, RCD underwent a change in leadership when Mr. Ilunga announced that he and the two vice-presidents had resigned from their positions. Although there were reports of differences among the leaders, a spokesman for RCD maintained that the ideals of the movement remained the same. The new RCD President is Adolphe Onusumba, the fourth since the movement was formed in 1998.

20. An internal leadership conflict has also occurred within the Rassemblement congolais pour la démocratie-Mouvement de libération (RCD-ML), between the supporters of Ernest Wamba dia Wamba and his deputy, Mbusa Nyamwisi. A violent confrontation at Bunia led to intervention by Ugandan

officials and the subsequent departure of both Mr. Wamba and Mr. Nyamwisi to Kampala in an effort to find a solution to their dispute.

Inter-Congolese dialogue

21. The Government of the Democratic Republic of the Congo has confirmed on many occasions its rejection of the neutral facilitator of the inter-Congolese dialogue, Sir Ketumile Masire. During the reporting period, the Government has reiterated its position in writing, in public statements and during discussions with my Special Representative. On 12 October, the Permanent Representative of the Democratic Republic of the Congo informed the President of the Security Council that the rejection of Sir Ketumile Masire was final but that his Government would be ready to expedite the appointment of a new facilitator.

22. Despite the position of the Government of the Democratic Republic of the Congo, the neutral facilitator has made renewed efforts to revive the dialogue process. Sir Ketumile has consistently maintained that he intends to remain as the neutral facilitator since only one party to the Lusaka Agreement was opposing him. In a communiqué issued on 19 October, the Minister of Information of the Democratic Republic of the Congo announced that the Government might "take action" against Sir Ketumile should he continue to call for the convening of the inter-Congolese dialogue although rejected as facilitator.

23. In a meeting with my Special Representative on 26 October, the Minister of Information outlined the proposals of the Government of the Democratic Republic of the Congo for the inter-Congolese dialogue. The Minister assured my Special Representative that the Government recognized the need for political negotiations among the Congolese parties to achieve a resolution of the conflict. In the Government's view, the purpose of these negotiations was not to achieve transitional power-sharing arrangements but to agree on a new constitution and an electoral commission. The Government favoured the establishment of joint committees, with equal representation from the Constituent Assembly and the opposition parties, to take matters forward. The time frame for elections could be within a few months of an agreement on a constitution, but the withdrawal of all uninvited foreign forces would be a prerequisite to the completion of the proposed political process.

24. In contrast to the Government, the rebel movements have continued to express their support for the inter-Congolese dialogue, as provided by the Lusaka Ceasefire Agreement, and for Sir Ketumile Masire as the neutral facilitator. Both MLC and RCD have rejected approaches from the Government to engage in political negotiations through the medium of committees drawn from the Constituent Assembly.

Military developments

25. The main military activity during the reporting period took place in Equateur province, in Katanga province and in the east of the country. This activity includes aerial bombing raids against Gemena, Moba and other rebel-held locations which have caused civilian casualties. The situation in Kisangani has remained generally calm. Although fighting in most of the country appeared to abate in late November, information was received as the present report was being completed about bombing attacks at Kalemie in the first few days of December. Heavy fighting was also reported in the vicinity of Pweto which, according to a spokesman of the Office of the United Nations High Commissioner for Refugees (UNHCR), drove some 60,000 people across the border into Zambia.

Ceasefire violations

26. In northern Equateur province, the perceived threat posed by MLC forces to Mbandaka prompted action by the Forces armées congolaises (FAC) and their SADC allies to reinforce frontline units along the axis of the Ubangui and Congo rivers. On 3 October, the MONUC Force Commander was advised by General Chingombe, the allied Task Force Commander, that a presidential order of the Democratic Republic of the Congo to halt offensive operations in Equateur province was being strictly observed. The only exception was on the Congo River, where FAC and the allies were concerned over MLC occupation of Emate and Nganda Paris and where fighting continued until 10 October.

27. On 17 October, the Force Commander met General Chingombe to brief him on earlier discussions held between my Special Representative and the head

of MLC. General Chingombe agreed that, if MLC forces made no forward movements, FAC and the allies would not initiate any further military action. The FAC air force had been placed under his operational command and future air operations would be conducted only for defensive purposes. After being advised of the proposed understanding, Mr. Bemba assured my Special Representative that his forces would not advance from their current positions or initiate any new attacks. The situation in Equateur province has since remained generally stable.

28. The Governments of the neighbouring Republic of the Congo and the Central African Republic continue to be concerned that fighting in the Democratic Republic of the Congo, especially in the immediate border areas, has affected their countries. In particular, large numbers of refugees continue to enter both countries and vital maritime traffic on the Ubangui River has been interrupted, causing heavy economic losses. Harassment of shipping of the Congo and FAC intrusions on islands in the Congo and Ubangui rivers prompted the Congo to deploy forces to secure its border. Operations by coastguards of the Congo starting on 6 October are reported to have resulted in several FAC fatalities and a number of injuries before the forces of the Congo succeeded in securing all islands on the Ubangui River up to Longo.

29. MONUC received reports from FAC liaison officers at Mbandaka that troops of the Congo had shelled FAC defensive positions opposite Buburu on 16 October. Military action by the Congo in the vicinity of Buburu risked being interpreted as operations in support of MLC, raising concern about the Congo becoming embroiled in the conflict in the Democratic Republic of the Congo. There have been no incidents reported since mid-October. President Nguesso and my Special Representative have agreed that it would be advantageous for MONUC to establish a liaison presence in Brazzaville.

30. According to allegations made by RCD and the Government of Rwanda, FAC units launched a major offensive in north-eastern Katanga province on 13 October. The FAC troops were said to be supported by armed groups, including former Rwandan government forces (ex-Forces armées rwandaises (FAR)) and Interahamwe militia, Burundian rebels of the Front pour la défense de la démocratie (FDD) and the local Mayi-Mayi militia, as well as Zimbabwean and Namibian troops. These forces allegedly captured a number of RCD positions, including the town of Pepa on, 22 October and attacked the Lake Tanganyika port of Moba. Government and allied forces were alleged to have used long-range artillery, tanks, aircraft and gunboats. The position of the Government of Rwanda is contained in the letter dated 2[illegible] October from its Permanent Representative to the United Nations addressed to the President of the Security Council (S/2000/1045).

31. MONUC military observers travelled to Moba and received eyewitness reports of the bombing of the town on 22 October by one Antonov-26 escorted by three MiG aircraft. It was reported that up to 15 bombs had been dropped, resulting in the deaths of 14 civilians and many others injured. Six bombs failed to explode, some of which the MONUC observers were able to view.

32. The allied Task Force Commander denied to MONUC that any Namibian or Zimbabwean forces had taken part in fighting in Katanga province. Subsequently, both the Permanent Representatives of Namibia and Zimbabwe to the United Nations wrote to the President of the Security Council to reject allegations of their countries' involvement (S/2000/1074 and S/2000/1076). For its part, the Government of the Democratic Republic of the Congo also denied involvement and President Kabila informed my Special Representative that the fighting in Katanga started between Rwandan forces and Congolese serving with RCD as a result of "bad blood" between them; subsequently, some Mayi-Mayi groups had come to the support of the RCD elements.

33. On 10 November, RCD claimed that its troops had recaptured Pepa. In the weeks following this action, some 1,000 civilians crossed into northern Zambia. UNHCR has assisted in the movement of registered refugees to Kala, which was already home to over 2,300 Congolese refugees. Over 500 soldiers also crossed over from the Democratic Republic of the Congo into Zambia. RCD has claimed that these are members of armed groups, and has requested the Zambian authorities to disarm and identify them in accordance with article III of the Lusaka Ceasefire Agreement. The Zambian Defence Minister has declared that his country will not allow foreign soldiers to enter its territory with arms and those not renouncing their military status will be escorted back to the Democratic Republic of the Congo by the Zambian authorities.

34. The security situation in eastern parts of the Democratic Republic of the Congo remained highly volatile. RCD has complained that pro-Government armed groups continue to launch numerous attacks in the North and South Kivu provinces. Although the armed groups responsible for these attacks are not signatories to the Lusaka Agreement, there are persistent reports that they receive arms and training from one of the parties. The most serious fighting took place at Salambila, in South Kivu. RCD reported that a large force of Mayi-Mayi, Interahamwe and FAC attacked their position on 11 November and succeeded in capturing the town three days later. Subsequently, MONUC observers were informed that an RCD force drawn from two brigades had launched a counter-attack leading to the recapture of the area on 22 November.

35. In a report distributed to the participants and to me prior to the second Maputo summit meeting, President Mbeki summarized the proceedings and discussed issues relating to MONUC deployment and the obstacles it had encountered. In his report, President Mbeki noted complaints made by President Chiluba concerning the deployment by the Government of the Democratic Republic of the Congo of five military assault boats on Lake Tanganyika. President Chiluba had informed President Mbeki that these boats were brought in through Zambia under the pretext that they were fishing boats. They had been used to transport heavily armed members of the Burundian FDD and Interahamwe/ex-FAR and had landed in the United Republic of Tanzania, raising fears that this could seriously compromise the Burundi peace process.

36. MONUC intends to dispatch a team of military observers to Kalemie, on Lake Tanganyika, to investigate reports that the town was bombed on 1 December, resulting in one fatality and 18 persons injured, most of them schoolchildren. According to the reports, which were received from RCD and from humanitarian sources, Kalemie was twice attacked on the morning of 1 December by an Antonov aircraft accompanied by a MiG. The MONUC team will be sent as soon as aircraft and fuel availability permits.

37. On 5 December, the Secretariat received reports of heavy fighting in the vicinity of Pweto, on Lake Mweru, apparently resulting from an attack on the town by RCD and Rwandan Patriotic Army (RPA) forces. According to a statement issued that day by UNHCR, some 60,000 people were driven across the border into Zambia by the fighting.

Kisangani

38. In compliance with Security Council resolution 1304 (2000), Rwanda and Uganda have continued to limit their forces to a distance of some 100 kilometres from the centre of Kisangani. RCD military elements have, however, remained in the city, with its leaders maintaining that security concerns do not allow them to withdraw their forces prior to the arrival of United Nations troops. Since July, the area around Kisangani has been de facto divided into quadrants: RCD occupies the city centre, the south and the west; MLC and the Ugandan People's Defence Force (UPDF) the north-west and the north; and UPDF solely the east. This dispersal is generally adhered to, except for isolated skirmishes, usually between RCD and MLC in the north-west and the north. All parties have contributed to the overall equilibrium and appear reluctant to partake in anything other than acts of posturing.

39. Pursuant to paragraph 14 of Council resolution 1304 (2000), I sent an assessment mission to the Democratic Republic of the Congo during the period from 13 to 23 August to assess the loss of life and property damage inflicted on the civilian population of Kisangani as a result of fighting between Rwandan and Ugandan troops between 5 and 11 June. The mission, led by the Director of the Emergency Response Division of the United Nations Development Programme (UNDP), consisted of personnel from various United Nations departments and was accompanied by United Nations agency officials based at Kinshasa. The team was also assisted by MONUC, the Office for the Coordination of Humanitarian Affairs and staff of non-governmental organizations based at Kisangani. The report on the assessment completed by the team has been issued in document S/2000/1153.

Withdrawal of foreign forces

40. Pursuant to the summit meeting held at Maputo on 16 October, the ministers for defence of the Democratic Republic of the Congo, South Africa, Rwanda, Uganda and Zimbabwe met at Pretoria on 20 October to consider proposals for the withdrawal of Rwandan and Ugandan forces from the territory of the Democratic Republic of the Congo. No agreement was reached, with the participants differing on the sequence

and modalities of disarming the non-signatory armed groups, including the Rwandan Interahamwe.

41. The ministers for defence met again at Pretoria on 3 November. The meeting, to which the Force Commander of MONUC was invited, discussed withdrawal plans put forward by the Democratic Republic of the Congo and Rwanda. Both plans, however, assume the deployment of a United Nations interposition force on the borders of Rwanda and Uganda, which would be responsible for disarming the armed groups. General Diallo made it clear that MONUC had no mandate to perform such tasks.

III. Cooperation with the Joint Military Commission

42. MONUC continued to cooperate closely with JMC and maintained a team of liaison officers at Lusaka for that purpose. The Mission assisted in the logistical support of regional joint military commissions at Boende (Equateur province), Kabinda (Kasai Orientale province), Kabalo (Katanga province) and Lisala (Equateur province), and MONUC liaison officers are co-located with each regional JMC. Representatives of Rwanda, RCD and MLC have, however, yet to deploy to the regional JMC at Kabinda. Also, the lack of resources has not allowed for the deployment of a regional JMC to Kisangani.

43. The Joint Military Commission has been functioning without a full-time chairman for nine months and General Kazembe of Zambia, who holds a full-time appointment in his country's military forces, has been obliged to carry out the duties of Chairman. Participants in the summit meeting held at Maputo on 16 October agreed to make an urgent request to the Secretary-General of OAU to assist in identifying an experienced military officer from the region to be appointed as chairman.

44. Following a request from the acting Chairman, MONUC assisted in the withdrawal of the 29 OAU neutral observers assigned to the regional joint military commissions. Financial constraints on JMC did not allow for the repatriated OAU observers to be replaced.

45. At its plenary meeting held at Lusaka on 17 and 18 November, JMC considered detailed plans for disengagement in four front-line areas: Kabalo, Kabinda, Ikela and the Kananga-Kinda road. JMC was, however, prevented from adopting the plans by the absence of the delegation of the Democratic Republic of the Congo.

46. The 29 November meeting of the Political Committee (see para. 16 above) and the subsequent meeting of the military chiefs of staff scheduled for 5 December represent a welcome resumption of activity on the part of this important organ of the Lusaka Ceasefire Agreement. The relocation of JMC to the Democratic Republic of the Congo could help to re-energize that body as well.

IV. Status of deployment of the Mission

Current deployment

47. As at 1 December, MONUC had a total of 224 liaison officers and military observers (see annex). In the Democratic Republic of the Congo, in addition to Kinshasa, teams of military liaison officers are deployed to the headquarters of the rebel movements (at Bunia, Gbadolite and Goma) and the four regional joint military commissions (at Boende, Kabalo, Kabinda and Lisala). Military observer teams are also stationed at six other locations (Gemena, Isiro, Kananga, Kindu, Kisangani and Mbandaka). Twenty-three liaison officers are stationed in the capitals of surrounding countries (see map).

48. MONUC continued to plan and reconnoitre sites for the sector headquarters required for the implementation of the Kampala disengagement plan. The first interim sector headquarters, with a small staff of military and civilian officers, has been established at Kisangani. In addition, technical surveys have been undertaken at Kisangani and Mbandaka for the stationing of United Nations battalions. MONUC logistic bases necessary to support the deployment of observers and troops are established and operational at Kinshasa and Goma, and at Bangui in the Central African Republic.

Security of Mission personnel

49. The most serious threat facing MONUC personnel is the highly volatile confrontations between the belligerent parties. In North Kivu, RCD reported an attack by Interahamwe one kilometre north of Goma

airport, the site of a MONUC logistics base. MONUC verified the incident in which nine Interahamwe fighters were killed as they attacked the village of Muningi on 1 November, killing nine civilians and dispersing the population. MONUC flights are also vulnerable; on 30 October, a MONUC helicopter approaching Bangui airport was fired upon from the territory of the Democratic Republic of the Congo and received light damage. No injuries were sustained by passengers or crew. The MLC leader, Mr. Bemba, subsequently called my Special Representative to apologize and inform him that an MLC soldier, who admitted firing at the helicopter, had been disciplined.

50. At Kinshasa, the inflammatory propaganda campaign conducted in some pro-Government media against MONUC has abated following the letter sent on 16 August by the Under-Secretary-General of the Department of Peacekeeping Operations to the Minister for Foreign Affairs of the Democratic Republic of the Congo, protesting the campaign and requesting restraint, and the interventions of my Special Envoy and Special Representative with President Kabila. The more positive attitude that the authorities and the media now show towards MONUC may also be attributed to the weekly press briefing instituted by the Mission's Public Information Section and a weekly bulletin that it issues on MONUC activities.

Cooperation of the parties

51. The Government of the Democratic Republic of the Congo has yet to replace the system of flight notification and clearance on a case-by-case basis with a system for advance notification en bloc, an arrangement that is essential for the management of the large fleet of aircraft that would be required for MONUC phase II deployment. Notwithstanding this, there has been a more positive attitude and a marked relaxation in regard to other restrictions, in particular lifting the obligation to land at a neutral airport during a return trip from rebel-controlled areas.

52. Pursuant to the decision of the Government of the Democratic Republic of the Congo that it would authorize United Nations troops to deploy in the country, the United Nations developed a list of practical measures necessary to initiate phase II deployment, which was transmitted on 11 September to the Minister for Foreign Affairs of the Democratic Republic of the Congo (see S/2000/888, para. 51). Since 30 September, joint meetings between MONUC and the Commissariat général chargé des affaires de la MONUC have been held on a weekly basis, in order to assess the compliance by the Government with the provisions of the Status of Forces Agreement (SOFA). This improved liaison has yielded some positive results, in particular with regard to customs clearances, exemption of direct and indirect taxes, authorization for a frequency and telecommunications network, facilities at Kinshasa airport and joint reconnaissance missions of MONUC and the Government to Mbandaka and Kananga, as announced by President Kabila during the second Maputo summit meeting. Further progress is anticipated with regard to an exemption from the strategic stock fuel charge.

53. Improved cooperation has also been facilitated by the decision of the SADC allies to appoint a special representative at Kinshasa, whose mandate includes the promotion of relations between the SADC allies and MONUC with regard to the peace process and the deployment of United Nations peacekeepers in the Democratic Republic of the Congo.

54. In field locations, MONUC military observers have encountered some limitations on their freedom of movement that have been imposed by local commanders who have forbidden the unrestricted monitoring of airfields.

V. Humanitarian affairs

55. The humanitarian situation in the Democratic Republic of the Congo has continued to deteriorate. At the end of November, the Office for the Coordination of Humanitarian Affairs estimated that the number of displaced persons was around 2 million, with less than one half receiving humanitarian assistance. In addition, UNHCR reports that the number of Congolese refugees in the Congo has reached 100,000 and as many as 20,000 may have fled to the Central African Republic. Owing to the fighting and other difficulties, humanitarian assistance could not reach a significant proportion of these refugees. In response to a request from the United Nations High Commissioner for Refugees, MONUC has agreed in principle to provide logistics support to efforts to gain access and deliver assistance to them.

56. Over the past six months, Equateur province has been affected by massive displacements of populations,

either to neighbouring countries or to areas in the province considered to be more secure. The United Nations humanitarian agencies have recently launched a major initiative in Equateur province to deliver the urgently needed lifesaving support to over 400,000 war-affected persons. Agencies involved in this operation have, however, encountered serious problems in obtaining government clearances to operate in southern Equateur.

57. The number of persons in critical need of food in the Democratic Republic of the Congo remains at an estimated 16 million, or roughly 33 per cent of the country's population. The uprooting of rural populations and isolation from their traditional food sources, together with the declining economic situation, continue to be the underlying causes of this troubling situation. The situation is aggravated at Kinshasa, where it is estimated that 70 per cent of the population of seven million live on less than US$ 1 per day for food. Some 18 per cent of children in the inner city and over 30 per cent in the outskirts suffer from chronic malnutrition. The food deficit of Kinshasa for the ongoing year is estimated at one million tons. A number of factors contribute to the crisis in the capital, including the swelling population caused by the war, a deterioration of the road infrastructure, inadequate food supply from Equateur and the eastern provinces, a scarcity of fuel and overvaluation of the official exchange rate.

58. The health situation in the country has also continued to decline, with less than 37 per cent of the population having access to essential medical facilities. Less than 47 per cent of the population is estimated to have access to safe drinking water. In addition to epidemic outbreaks of cholera, meningitis, dysentery and malaria, the World Health Organization (WHO) has reported the emergence and re-emergence of serious illnesses, such as haemorrhagic fever. Women and children are among the vulnerable groups most affected by the crisis.

59. The war, poor sanitary conditions among displaced populations and residents, and malnutrition have created a fertile ground for the outbreak and spread of numerous illnesses and infectious diseases, including those that are sexually transmitted. There are 20,000 new cases of HIV this year, according to the national AIDS programme, adding to the figure of one million infected adults, which includes at least 600,000 women. There are an estimated 680,000 orphans with AIDS, whose parents have died of the disease.

60. In the Kivus, the increased security risk to health personnel has forced the suspension of humanitarian operations by some agencies, further increasing the vulnerability of displaced persons and residents. Armed groups continue to attack civilians, causing numerous casualties and rendering travel in the area extremely dangerous.

61. On 4 and 5 October, the inter-agency and donor country meetings were held at Geneva to consider the humanitarian response strategy to be adopted in the Democratic Republic of the Congo. Donors called for enhanced coordination and stressed that humanitarian action should be broadened and deepened, as should cooperation with local structures. At the meeting attended by my Special Representative, three main themes came to light: the need to allocate more resources to existing humanitarian projects, the need to reach more people through a more flexible humanitarian action response with the objective of saving more lives, and the need to increase the capacity of international humanitarian agencies working in the Democratic Republic of the Congo to manage an enhanced response.

62. The consolidated appeal for the Democratic Republic of the Congo for 2001 was launched at the end of November; US$ 139.5 million was requested to address the critical humanitarian needs of the war-affected populations. The appeal seeks to provide household food security and health interventions at the local community level, as well as initiatives at the national level, such as immunization days and transport corridors for essential medicines and food supplies.

63. A United Nations inter-agency mission, consisting of senior representatives of the Office for the Coordination of Humanitarian Affairs, UNDP, the United Nations Children's Fund (UNICEF), UNHCR, the World Food Programme (WFP), the Food and Agriculture Organization of the United Nations (FAO) and WHO, visited the Democratic Republic of the Congo from 20 to 24 November to examine ways of improving the coordination of humanitarian relief operations in the country. The mission report and recommendations were presented to the Executive Committee on Humanitarian Assistance on 4 December.

64. MONUC has prepared and submitted an aide-mémoire which is to be presented to the Security

Council and which proposes the strengthening of the humanitarian mandate of the Mission and requests the allocation of programme funds to support a series of projects. The most notable of the projects is a request for US$ 2.5 million to provide air logistics support with MONUC aircraft to humanitarian agencies in the Congo. This support could come in the form of an appeal by the Security Council to Member States to contribute to a trust fund established for such projects. Until funds are in place, MONUC could make an important contribution to relieving humanitarian suffering in this country by being able to use the existing funds and resources of the Mission, especially the many MONUC aircraft with their considerable underutilized capacity, in support of humanitarian work. This would also contribute to the central peacekeeping mandate of the Mission by increasing understanding and trust of the Mission by the people of the country and by all parties concerned. At its meeting held at Lusaka on 29 November, the Political Committee adopted an agreement aimed at improving the humanitarian situation of populations at risk, which included guaranteed access to them.

VI. Human rights

65. The human rights situation throughout the territory of the Democratic Republic of the Congo continued to give cause for grave concern. The situation in the eastern provinces is particularly troubling, owing to the absence of governmental structures in rebel-controlled areas. Arbitrary arrests, illegal detention, forced deportation and ill-treatment have been used to harass and intimidate the population, human rights groups, church associations and non-governmental organizations. In addition, the dire economic situation has led soldiers and gangs of armed men to resort to extortion and looting, thus creating an atmosphere of insecurity and terror among vulnerable groups.

66. Recent months have seen an increase in leadership struggles in the rebel movements, rising inter-ethnic rivalries and increasing resentment among Congolese ethnic groups vis-à-vis the Tutsi in general. These developments have put the civilian population in greater danger than previously reported. There has also been a marked increase in the number of warlords in remote areas who have engaged in a pattern of systematically destroying the institutions of civil society, and manipulating the regions' clan system and ethnic groups against each other. The violence between opposing members of the Hema and Lendu tribes in the north-eastern region of the Democratic Republic of the Congo is particularly worrisome and civilian casualties are mounting.

67. The Mayi-Mayi militia and predominantly Hutu armed groups have continued to commit widespread human rights abuses. They have regularly attacked villages, forced people to hand over their belongings and killed them if they refuse to do so. In this context, the high incidence of murder of women and children of Rwandan origin should be noted. It has also been reported that Hutu armed groups use rape as a weapon of war.

68. In government-controlled territory, despite the authorities' stated commitment to a moratorium on the death penalty and the establishment of a military court appeals chamber, executions continue to take place, albeit at a reduced rate. There are also no indications that the military court system will be reformed. The system was established to try cases regarding abuses by military and police officers, and armed robbery. Civilians such as journalists and political opponents continue, however, to be tried by these courts for other crimes, in breach of international law. Moreover, notwithstanding the use of death penalty sentences, defendants appearing before military courts have no right of appeal and in some cases, no legal representation.

69. The prohibition of political parties continues, with only those parties newly registered with the Government being allowed to function, a justification for the arbitrary arrest and detention of persons affiliated with non-registered political parties. Although the Ministry of Information had announced its intention to introduce a law abolishing imprisonment for press offences, reports indicate that journalists and human rights activists continue to suffer attacks, intimidation and imprisonment. An important radio and television station, Radio-Television Kin-Malebo (RTKM), was nationalized on the basis that it had secret ties to the rebellion. Its employees have been subjected to harassment and arrest. These targeted restrictions on freedom of expression and freedom of association are completely at odds with fundamental human rights.

70. During her visit from 1 to 3 October, the United Nations High Commissioner for Human Rights met with President Kabila. The High Commissioner identified a number of human rights violations that the Government had to address in order to conform with Congolese law and international human rights standards and norms. She sought the immediate release of 253 political prisoners, many of them journalists and human rights activists, who have yet to benefit from the general amnesty law. She demanded the abolition of the Court of Military Order and the suspension of the death penalty and executions; she raised the issue of administrative detentions and the prohibition of torture, the rights of the accused and respect for fundamental human rights even in times of war, while referring to relevant United Nations resolutions, international treaties ratified by the Democratic Republic of the Congo and the Lusaka Ceasefire Agreement.

71. While the Government of the Democratic Republic of the Congo made commitments to respect human rights and take the actions specified by the High Commissioner, no enforcement action has been taken to end those abuses and to establish a system of accountability and rule of law. The Court of Military Order is still being used to punish those suspected of collaborating with the rebel movements. On 9 October, the Court sentenced to death a former director of the security service, Ndjango Mfungazam, for allegedly passing on information to the rebels. On 30 October, a former Commandant of FAC was arrested by the President of the Military Court for allegedly plotting to overthrow the Government. Several members of his ethnic group in FAC and the opposition parties are reported to have disappeared from their homes.

VII. Child protection aspects

72. The situation of children has continued to be of serious concern. The education situation in the eastern provinces remains disastrous, with between 40 per cent and 50 per cent of school-aged children out of school and prone to becoming targets for forced recruitment into the armed forces or militia groups that operate in the region. According to recent reports, between 15 per cent and 30 per cent of newly recruited combatants are children under 18 years of age, with a substantial number less than 12 years old.

73. On 15 May, RCD issued an instruction establishing an inter-departmental commission on the demilitarization, demobilization and reintegration of child soldiers. The commission, however, has yet to be established. On 15 and 16 November, the local radio and television station at Goma broadcast an appeal from the head of RCD, inviting parents to allow their children to be recruited into the movement's military forces. The Governor of North Kivu Province reiterated the call on 19 November, urging that children be enrolled for local defence. Following reports of the recruitment of children aged 13 to 17 years at Rutshuru on 19 November, my Special Representative contacted the RCD leadership, drawing its attention to these violations of the Convention on the Rights of the Child.

74. MONUC and the UNICEF offices at Kinshasa and Kampala are closely following the matter and have contacted the relevant authorities. As a result of joint advocacy efforts by MONUC and UNICEF, RCD-ML has recently taken steps towards setting up a coordination unit for the demilitarization, demobilization and reintegration process in areas under its control. Similar advocacy directed at MLC is planned.

75. MONUC has received confirmation of the cross-border deportation of recruited Congolese children from the Bunia, Beni and Butembo region to Uganda after the August "mutiny" of troops against the leadership of RCD-ML. In line with Council resolution 1304 (2000), the cross-border recruitment and abduction of children is strongly condemned.

76. President Kabila signed a decree on 6 June ordering the demobilization and reintegration of vulnerable groups, including child soldiers. Despite the positive reaction from the international community and the willingness shown by donor countries to assist in implementation of the decree, no substantial progress has been recorded. The national coordination unit for the demilitarization, demobilization and reintegration of vulnerable groups, including child soldiers, is still to be set up by the Government.

77. During the reporting period, the two MONUC child protection advisers have undertaken field trips to Bukavu, Kabalo, Kindu, Isiro, Kananga and Bunia to meet with all child protection partners and obtain first-hand information on children affected by the conflict. These trips have also provided the opportunity to train

MONUC military observers with regard to child protection issues.

VIII. Exploitation of natural resources

78. In the statement by its President on 2 June 2000 (S/PRST/2000/20), the Security Council requested me to establish a panel of experts on the illegal exploitation of natural resources and other forms of wealth of the Democratic Republic of the Congo. Accordingly, I appointed four members to the Panel with Safiatou Ba-N'Daw, former Minister of Energy of Côte d'Ivoire, as Chairperson. The panel has been based in Nairobi since mid-September and has undertaken extensive consultations with the parties and visits within the region.

IX. Financial aspects

79. The General Assembly, by its resolution 54/260 A of 7 April 2000, granted me commitment authority, with assessment, in the amount of US$ 200 million to cover the Mission's immediate requirements and to enable it to initiate logistical preparations for the phased deployment of the formed military personnel. Subsequently, by its resolution 54/260 B of 15 June 2000, the Assembly, taking into account the amount of US$ 58.7 million committed for MONUC for the period ending 30 June 2000, authorized me to use, during the period beginning 1 July 2000, the amount of US$ 141.3 million, representing the balance of the commitment authority provided for MONUC in resolution 54/260 A.

80. As at 15 November 2000, unpaid assessed contributions to the MONUC special account amounted to US$ 90.8 million. The total outstanding assessed contributions for all peacekeeping operations at that date amounted to US$ 2,075 million.

X. Next steps

81. The agreements reached at Maputo on 27 November represent forward movement, and the recent improvements in the Government's attitude towards the deployment of MONUC are welcome. It should also be noted that, with some exceptions, such as at Kisangani in June, the security guarantees provided by the parties at the time of the deployment of United Nations liaison officers have been honoured. It has also been possible to keep the liaison officers and military observers in the field supplied, despite the serious restrictions placed on the Mission's freedom of movement.

82. In the light of the above and of the experience gained since September 1999, when MONUC was first deployed to the Democratic Republic of the Congo, the Secretariat has developed plans to monitor and verify the actions taken by the parties in compliance with the Kampala disengagement plan of 8 April, including local ceasefire arrangements and disengagement movements, through the use of unarmed military observers.

83. The deployment of military observers would entail the maintenance of MONUC Force headquarters at Kinshasa and with JMC at Lusaka, the military liaison teams in regional capitals and with the parties' military headquarters remaining as they are at present (see annex and map). In addition, up to 500 military observers would be deployed in static and mobile teams to monitor and verify actions taken by the parties pursuant to the disengagement plan. Security would be provided by the parties' armed forces. This option would require the provision of limited specialized support, including medical, aviation and possibly riverine units. The logistics bases which, in the absence of formed units, have been established by MONUC at Kinshasa, Bangui and Goma over the past few months, would ensure the necessary support to the observer teams.

84. The objectives of the military observer teams would be to: (a) monitor and verify the parties' implementation of the Kampala disengagement plan of 8 April, including the disengagement of forces to brigade level, their redeployment and their eventual withdrawal from the territory of the Democratic Republic of the Congo; (b) monitor the continuing demilitarization of Kisangani; (c) investigate and verify allegations of ceasefire violations; (d) maintain effective contact with the parties; (e) assist the parties in the conduct of their JMC activities; and (f) ensure the provision of the necessary information to me and to the Security Council through MONUC.

XI. Observations and recommendations

85. The past two months has witnessed intense diplomatic activity in support of the peace process in the Democratic Republic of the Congo. I welcome the personal initiatives of heads of State in the region and commend their dedication and perseverance in efforts to put the peace process back on track. I also commend the role that OAU has continued to play in this regard.

86. Despite substantial compliance with the ceasefire in most parts of the Democratic Republic of the Congo, fighting has occurred in Equateur and Katanga provinces. This fighting not only complicated and imperilled ongoing peace efforts but, since the clashes occurred in border areas, threatened to spill over into the Congo and the Central African Republic to the north and into Zambia to the south. At the same time, the highly volatile environment in the Kivus marked by frequent and violent attacks by the non-signatory armed groups has continued to be a most serious concern.

87. The situation around Kisangani has shown some improvement, and I welcome the restoration of calm there after the outbreaks of fighting in June. Security Council resolution 1304 (2000), however, in which the Council demanded the withdrawal of Rwandan and Ugandan forces from the territory of the Democratic Republic of the Congo without further delay, in conformity with the timetable of the Lusaka Agreement and the Kampala disengagement plan of 8 April, has yet to be implemented in full. By the same resolution, the Council, acting under Chapter VII of the Charter, made a number of other demands on the parties, including cooperation with the deployment of MONUC and full engagement in the national dialogue process. These demands also have yet to be met.

88. In view of the situation summarized above, I recommend that the Security Council extend the mandate of MONUC for a further six months, until 15 June 2001. During that period, in order to monitor and verify the parties' implementation of the ceasefire and disengagement plans adopted at Maputo and Lusaka, MONUC should, as a first step, deploy additional military observers, accompanied by the necessary medical, aviation, riverine and logistical support units. A deployment of this kind could be effected within the current mandate approved by the Council in resolution 1291 (2000), and with the mandate described in paragraph 84 above.

89. In principle, I would also be prepared subsequently, with the guidance of the Security Council, to recommend that infantry units be deployed in support of the military observers, if conditions both required and permitted such deployment. At the appropriate juncture, I would accordingly submit to the Council an updated concept of operations, taking into account developments on the ground and the precise nature of the tasks that the troops would realistically be able to perform. I have requested the Secretariat to continue to liaise closely with potential troop-contributing countries in order to ascertain their continued readiness to provide the necessary personnel and specialized units.

90. At the same time, however, it is clear that broader agreement needs to be reached on the key questions that have so far not been resolved. In my view, the best way of doing so would be to build on the valuable diplomatic initiatives taken in recent weeks and to provide a framework and a stimulus for their follow-up. I am therefore considering the type of action that the United Nations could take to help to achieve this result.

91. The objective of this meeting would be to focus on the underlying questions at the core of the conflict that have yet to be satisfactorily resolved. These include the withdrawal of foreign forces; the disarmament and demobilization of armed groups; the security of the borders of Rwanda, Uganda and Burundi with the Democratic Republic of the Congo; the return of refugees in safety; the inter-Congolese dialogue; and regional economic reconstruction and cooperation.

92. It may be necessary to consider the establishment of a permanent mechanism to pursue genuine and workable arrangements for attaining these objectives. In order to ensure that the measures under discussion were practical and likely to enjoy the support of the Security Council, it would be necessary for the United Nations to support and participate in such a mechanism.

93. Finally, I wish to express my deep appreciation to my Special Representative, to the Force Commander, and to all the military and civilian personnel of MONUC for the strenuous efforts that they continue to make, often under adverse conditions, to help to restore peace to the Democratic Republic of the Congo.

Annex

United Nations Mission in the Democratic Republic of the Congo: contributions as at 30 November 2000

	Military observers	*Staff officers*	*Total*
Algeria	9		9
Bangladesh	6	8	14
Benin	5	3	8
Belgium		1	1
Bolivia	1		1
Burkina Faso	2		2
Canada		2	2
Czech Republic	3		3
Denmark	1	1	2
Egypt	9		9
France	1	2	3
Ghana	8		8
India	5	2	7
Jordan	2		2
Kenya		4	4
Libyan Arab Jamahiriya	3		3
Malaysia	2	7	9
Mali	3		3
Morocco		4	4
Nepal	8		8
Niger	2	1	3
Nigeria	6		6
Pakistan	13	9	22
Peru	3		3
Poland	1		1
Romania	7	1	8
Russian Federation	4		4
Senegal	12	17	29
South Africa	1		1
Switzerland		1	1
Tunisia	6		6
Ukraine	4		4
United Kingdom of Great Britain and Northern Ireland		4	4
United Republic of Tanzania	5	1	6

	Military observers	Staff officers	Total
Uruguay	8	8	16
Zambia	8		8
Total	**148**	**76**	**224**

MONUC
Positioning as of
December 2000
CENTRAL AFRICAN REPUBLIC
Bangui
SUDAN
UGANDA
Kampala
CONGO
DEMOCRATIC REPUBLIC
OF THE CONGO
RWANDA
Kigali
Bujumbura
BURUNDI
Bandundu
Brazzaville
Kinshasa
Cabinda
(ANGOLA)
UNITED
REPUBLIC
OF
TANZANIA
Mbuji-Mayi
Luanda
ANGOLA
ZAMBIA
Lubumbashi
MALAWI
Other MLO locations
not shown on map:
MLO 1 Windhoek, Namibia
MLO 14 Lusaka, Zambia
MLO 2 Harare, Zimbabwe
MLO 1 Addis Ababa, Ethiopia
0 100 200 300 km
0 100 200 mi
The boundaries and names shown and the designations used on
this map do not imply official endorsement or acceptance by the
United Nations.

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Security Council
Fifty-fifth year

Letter dated 29 November 2000 from the Permanent Representative of Ethiopia to the United Nations addressed to the Secretary-General

With reference to the letter from the Chargé d'affaires a.i. of Eritrea, dated 17 November 2000, and its annex issued as document A/55/630-S/2000/1101, I have the honour on behalf of the Government of Ethiopia to state the following.

On 17 November 2000, the Security Council met to discuss and review the situation between Eritrea and Ethiopia. The Council, having considered the matter between the two countries, came out later with a number of very useful, constructive and confidence-building measures on which both parties to the conflict could agree. Ethiopia welcomes these measures and regards them as timely. However, on that same day, the Permanent Mission of Eritrea to the United Nations chose to circulate a statement of its Foreign Ministry as a document of the Security Council and the General Assembly. The statement, more than anything else, showed the extent to which Eritrea would not only deny the follies it is involved in, but would go further by twisting what others may or may not have said.

It is not the intention of the Government of Ethiopia to continue being engaged in an unhealthy dialogue of the deaf with Eritrea. We want to seize the opportunity of the new climate of peace presented to both countries and the entire Horn of Africa region. It is Ethiopia's intention to work, as the statement by the President of the Security Council of 21 November 2000 stressed, "... to conclude without delay a final and comprehensive peace settlement". We also believe that the deployment of the United Nations Mission in Ethiopia and Eritrea (UNMEE) would contribute to a

air corridor also. With regard to the moratorium on expulsions, this also is not a problem for Ethiopia. On the question of "... the immediate release and voluntary and orderly return of interned civilians" under ICRC auspices, Ethiopia does not have any civilian Eritreans interned. The Eritrean military personnel at the Didesa camp in Ethiopia which Eritrea refers to as "civilians" will be examined as part of the agreement on prisoners of war. Incidentally, ICRC had from the start of the conflict been given access to these and other Eritrean prisoners of war.

On the contrary, over 30,000 Ethiopian civilians (children, women, men) remain incarcerated all throughout Eritrea. ICRC and others, such as Ambassador Bogosian of the United States, have been given access to only a fraction of those interned. These Ethiopians find themselves in a grave and perilous condition and this is of urgent concern to Ethiopia. At no time are we aware that ICRC or Ambassador Bogosian have "ascertained", as claimed by Eritrea, the non-existence of concentration camps. Only today, the Ethiopian Embassy in Asmara issued a statement disclosing the rounding up of thousands of Ethiopians since 24 November 2000. The Embassy said, "The whereabouts of the latest group of Ethiopians arrested by the Eritrean police are as yet unknown". We call for the immediate and unconditional release of these Ethiopian civilians and their repatriation to their homeland under the aegis of ICRC.

Notwithstanding the above, and as part of confidence-building measures, we would like to add that one should also desist from falsely attributing action or actions to others and then claiming that these have been attested by credible institutions. A case in point is the allegation by Eritrea that Ethiopia had committed "gross violations of international law in the occupied territories". They cite a UNHCR press briefing given on 3 October 2000 as evidence. It is sad that a country like Eritrea, which is at least half Muslim, issues a statement referring to "... churches and mosques were looted of all the icons." Muslims do not keep icons in their places of worship. The irony is that the original UNHCR press release, while not in any way whatsoever implicating a particular party with the looting and destruction in Omhager as the Eritrean side purports, associates the icons with the churches and not the mosques. (I have attached herewith the said UNHCR press release.)

Finally, I would like once again to reiterate that, for the Government and people of Ethiopia, the war which was forced on them by Eritrea is over. The real enemies for us are poverty and backwardness. As evidenced by the recently approved budget for the current fiscal year, our efforts and resources are once again geared to the track of development. Included in these efforts is the Government's decision to embark on the demobilization of the army. This is being done even before a final and comprehensive peace settlement has been achieved. We are doing it because we also believe it will help as a confidence-building measure. We call on Eritrea, a country of 3.5 million but with an army of some 300,000 troops, to do the same. The measure, when carried out by both countries, will be good for the whole region of the Horn of Africa.

On the even of the visit of the Secretary-General of the United Nations to

I should be grateful if you would kindly circulate the present letter and its annex as a document of the General Assembly, under agenda items 114 (a) and (d), and of the Security Council.

(*Signed*) Abdulmejid **Hussein**
Ambassador
Permanent Representative

Annex

UNHCR News - Press Briefing Note

Briefing Notes

Tuesday 3 October 2000

This is a summary of what was said by UNHCR spokesman Kris Janowski (to whom quoted text may be attributed) at today's press briefing at the Palais des Nations in Geneva.

- Eritrea

UNHCR officials who travelled to the border area of Eritrea recently vacated by Ethiopian troops found the area almost completely destroyed, thoroughly looted, depopulated and mined. The findings dashed hopes for a speedy return of the town's 7,000 inhabitants driven out by the recent war between Ethiopia and Eritrea. The scope of destruction also cast doubt on the return of tens of thousands more people driven out from other areas not yet visited by UNHCR.

A team of UNHCR field workers, accompanied by partner agencies, travelled last week to the town of Omhajer, nearly 300 kms southwest of Eritrea's capital, Asmara. They were the first foreigners to visit the town since Ethiopian troops pulled back on September 21. The town, located in the southwest corner of Eritrea wedged between the Ethiopian and Sudanese borders, was once an important political, economic and military centre for Eritrea on the Setit River.

The team found all permanent structures and public buildings, including the city hospital and two schools, 80 percent destroyed. The roofs and all items of any value had been removed. All commercial buildings were completely looted.

The local mosque and one Orthodox church had been heavily damaged, with much of the roof of the mosque missing, and a fire apparently lit within the church. Everything of value had either been taken or destroyed, including the church's icons. The local military said since the Ethiopians pulled back one local man was killed by a land mine and 50 other mines had been cleared.

Many of the *tukuls* (traditional mud/wood/straw houses) have also been destroyed.

The Ethiopian troops, who held the area for three months, withdrew last month under a peace agreement signed by Ethiopia and Eritrea in Algiers last June.

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Report of the Secretary-General on the work of the Organization

Right of peoples to self-determination

Human rights questions

Letter dated 4 December 2000 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of an announcement made by the Government of Pakistan with regard to a new initiative to reduce tension along the Line of Control and to promote a meaningful dialogue between Pakistan and India, with the participation of Kashmiris, for the peaceful settlement of the Jammu and Kashmir dispute. The main elements of this important initiative are briefly summarized below:

(a) With immediate effect, the armed forces of Pakistan deployed along the Line of Control in Jammu and Kashmir will observe maximum restraint in order to strengthen and stabilize the ceasefire already being unilaterally implemented by Pakistan. The Government of Pakistan expects India will reciprocate and cease firing across the Line of Control. Stabilization of the ceasefire along the Line of Control will be facilitated by impartial monitoring. We hope the Government of India will abide by its obligations under the Charter of the United Nations and allow the United Nations Military Observer Group in India and Pakistan to fulfil its mandate of impartial monitoring of the ceasefire;

(b) Pakistan is prepared to enter into a meaningful dialogue with India to address the Jammu and Kashmir dispute, as well as other disputes, in conformity with Security Council resolutions, principles of justice, international law and the agreements between the two countries;

(c) In order to enable the representatives of the Kashmiri people to participate in the dialogue on Jammu and Kashmir, the Government of Pakistan has

the people of the state. The Government of Pakistan expects that India will allow the leaders of the All Parties Hurriyat Conference to visit Pakistan for consultations during the month of Ramadan;

(d) To the same end, the Government of Pakistan has called upon the Government of India to invite the All Parties Hurriyat Conference leadership, during the current month of Ramadan, to prepare for the commencement of tripartite negotiations immediately after Ramadan.

India's announced suspension of military operations against the Kashmiri freedom fighters will be meaningful only if it is combined with a purposeful dialogue for the peaceful settlement of Jammu and Kashmir and an end to the repression and violence, with a reduction of Indian forces in occupied Kashmir, release of all detainees and respect for the fundamental rights of the Kashmiri people.

On its part, the Government of Pakistan reaffirms its commitment to respect and support the Kashmiris' inherent right to self-determination that has been pledged to them by Pakistan and India and enshrined in the resolutions of the Security Council.

I should be grateful if this letter, together with its enclosure, are circulated as an official document of the General Assembly and of the Security Council.

(*Signed*) Shamshad **Ahmad**

Annex to the letter dated 4 December 2000 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General

Statement by the Foreign Secretary of Pakistan on the Government's initiative to reduce Indo-Pakistan tension and resume talks for the peaceful settlement of the Jammu and Kashmir dispute, with the participation of Kashmiris, Islamabad, 2 December 2000

With immediate effect, the Pakistan armed forces deployed along the Line of Control in Jammu and Kashmir will observe maximum restraint in order to strengthen and stabilize the ceasefire.

The Government of Pakistan expects that the Government of India will reciprocate this initiative and cease firing across the Line of Control.

Stabilization of the ceasefire along the Line of Control will be facilitated by impartial monitoring. The Government of Pakistan calls upon the Government of India to respect its obligations under the Charter of the United Nations and allow the United Nations Military Observer Group in India and Pakistan to fulfil its mandate.

India's announced suspension of military operations against the Kashmiri freedom fighters will be meaningful only if it is combined with a purposeful dialogue for peaceful settlement of Jammu and Kashmir.

For credibility of its desire for peaceful settlement, the Government of India should announce a permanent end to policy of repression and violence, reduction of Indian forces in Indian occupied Jammu and Kashmir, release all detainees and respect the fundamental rights of the Kashmiri people.

Pakistan reaffirms its commitment to respect and support the Kashmiris' inherent right to self-determination which was, besides, pledged to them by Pakistan and India and is enshrined in the resolutions of the Security Council.

Pakistan is prepared to enter into a meaningful dialogue with India to address the Jammu and Kashmir dispute, correctly described by the Security Council as a root cause of tension between the two countries, as well as other disputes, in conformity with Security Council resolutions, principles of justice, international law and the past agreements between the two countries.

In order to enable the representatives of the Kashmiri people to participate in the dialogue on Jammu and Kashmir, the Government of Pakistan extends an invitation to the Executive Committee of the All Parties Hurriyat Conference, the leader of the Kashmiri freedom struggle, for consultations to prepare the ground for a tripartite process of negotiation for a peaceful settlement of the Jammu and Kashmir dispute in accordance with the will of the people of the state. The Government of Pakistan calls upon the Government of India to allow the leadership of All Parties Hurriyat Conference to visit Pakistan for consultations during the month of Ramadan.

To the same end, the Government of Pakistan calls upon the Government of